Bill as Introduced

SB 401-FN-A-LOCAL – AS INTRODUCED

2000 SESSION

00-2545
08/09

SENATE BILL ***401-FN-A-LOCAL***

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

SPONSORS: Sen. Russman, Dist 19; Sen. Larsen, Dist 15; Sen. Klemm, Dist 22; Sen. Johnson, Dist 3; Sen. Below, Dist 5; Rep. Torr, Straf 12; Rep. M. Fuller Clark, Rock 36; Rep. Burling, Sull 1; Rep. Musler, Straf 6; Rep. Scanlan, Graf 11

COMMITTEE: Environment

ANALYSIS

This bill:

I. Establishes the New Hampshire land and community heritage investment program.

II. Establishes the New Hampshire land and community heritage authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for acquisition of lands and other natural, cultural, and historical resources.

V. Provides an appropriation to the program.

VI. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2545
08/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Chapter; Land and Community Heritage Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural, cultural, and historical resources. Permanent protection of these resources, through acquisition of lands, buildings, and other physical assets, or interests in these assets, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural, cultural, and historical resources for this and future generations, the general court hereby establishes the New Hampshire land and community heritage investment program.

227-M:2 Land and Community Heritage Investment Program Established. There is established the New Hampshire land and community heritage investment program. The intent of the program is to conserve and preserve this state's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life. These lands and cultural and historical resources may include archaeological sites; historic buildings and structures which house cultural events and programs; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; historic properties including buildings and structures; historic and cultural lands and features; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands. The program shall acquire, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives, lands or other physical assets, conservation or historic preservation easements, development rights, and other permanent interests in lands and cultural and historical resources. The program shall also provide funding for restoration and rehabilitation of cultural and historical

resources; for certain costs associated with the acquisition of natural, cultural, and historical resources; and for the perpetual stewardship of these resources. All deeds or other documents evidencing purchase of any fee interest or other permanent interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of matching state funds, or in the name of the state of New Hampshire. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All projects shall involve a willing seller and willing buyer.

227-M:3 New Hampshire Land and Community Heritage Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community heritage investment authority (the authority), a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors (the board) composed of 14 members. Voting members shall not appoint designees to act in their places. The chairman shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Five public members, 2 of whom shall represent natural resources and outdoor recreation interests, 2 of whom shall represent cultural and historic resource interests, and one of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

(d) The director of the office of state planning.

(e) The commissioner of the department of cultural resources.

(f) The commissioner of the department of resources and economic development.

(g) The commissioner of the department of environmental services.

(h) The commissioner of the department of agriculture, markets, and food.

(i) The executive director of the department of fish and game.

III. Members appointed under subparagraphs II(d) through II(i) shall be advisory, non-voting members.

IV. The terms of the state members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more

than 2 successive terms. Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filed for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Five voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairman.

VI. Board members shall not be subject to civil liability for acts performed in accordance with their duties under this chapter.

227-M:4 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt procedures and criteria for the regulation of its affairs and the conduct of its business, including but not limited to criteria and guidelines for acquiring lands, interests in lands, buildings and structures, other property or interests in property; guidelines for the stewardship of acquired resources; and definitions deemed important or necessary to carry out the purposes of this chapter.

II. Oversee, direct, and expend funds deposited in the trust fund of the New Hampshire land and community heritage investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of lands, buildings, structures, or other real property, interests therein, or related program purposes, and for the administrative costs of the program.

III. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

IV. Acquire real property or interests in real property, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

V. Designate, for management and stewardship purposes, each parcel of land, building, or other real property, and each interest in land, building, or other real property, to a municipality in cases where municipal matching funds are utilized to acquire the land, building or other real property; to a qualified publicly supported nonprofit corporation; or to a state agency.

VI. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council. The report shall include a listing of all the land and other property, or interests in land or other property acquired; the expenditure for these acquisitions, including all administrative costs associated therewith; and a complete financial accounting of the funds of the trust fund. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office.

(c) Accept from any source gifts and donations of money, including money from appropriate fundraising activities; land and other real property; interests in land and other real property; federal, local, private, and other matching funds and incentives; and other assets to deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:5 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the natural, cultural, or historical resources proposed for protection or restoration under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:6 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific authorization from the general court, except for federal funds accepted by the governor and council for purposes similar to those of this chapter.

227-M:7 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) State agencies;

(b) Municipalities or other political subdivisions of the state; and

(c) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants, block grants (grants to another organization for re-granting), loans, and loan guarantees. Relative to eligible resources, this financial assistance may be used for the following:

(a) Acquisition of real estate in fee simple.

(b) Acquisition of conservation, preservation, or scenic easements.

(c) Restoration or rehabilitation of publicly-owned buildings or structures.

(d) Acquisition costs associated with permanent protection (surveys, appraisals, title work, and other legal work).

(e) Feasibility studies, resource inventories, and planning.

(f) Other professional services.

(g) Stewardship, to ensure that a permanently protected resource remains in its intended use.

IV. All eligible applicants, other than state agencies, are required to provide a minimum level of matching resources of 40 percent of the appraised market value of the assets to be acquired or expenses incurred. A minimum of 20 percent of the appraised market value of the assets to be acquired or expenses incurred must be provided in cash. The balance of the cost sharing match requirement may be met through use of in-kind services, the value of donated real estate or interest in real estate, or a combination of the 3. Where donated real estate value is utilized to partially satisfy the match requirement, such real estate must be located in the municipality or municipalities in which the applicant property is located. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The match may include pre-acquisition or acquisition expenses or a one-time investment in a stewardship endowment fund. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and a conservation fund established under RSA 36-A:5.

V. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a high degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized to override the requirement for a match, but only by an affirmative vote of 2/3's of its voting members.

VI. Of the funding provided to the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3's of its voting members.

227-M:8 Acquisition, Restoration, and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:4, I for acquiring lands, buildings, structures, or other property, or interests in lands, buildings, structures, or other property shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land or property;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Extent to which project meets multiple objectives of the program (natural, historic, and cultural);

(e) Strength of local support;

(f) Strength of private support;

(g) Cooperation between or among communities;

(h) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement); and

(i) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected.

(j) Extent to which benefits can be conserved only through public fee acquisition of land, buildings, structures, or other property, weighed against acquisition of less-than-fee interest in such land, buildings, structures, or other property.

II. Nothing in this section shall be construed to require that each acquisition of land, buildings, structures, or other property, or interest in land, buildings, structures, or other property under this chapter must meet all the criteria listed in this section.

227-M:9 Management.

I. All land, buildings, structures, or other property, or interests in land, buildings, structures, or other property acquired under this chapter shall be assigned to one of the state agencies or, where the land, buildings, structures, or other property, or permanent interests in land, buildings, structures, or other property, is acquired directly using matching funds from a municipality or other political subdivision, or qualifying nonprofit corporation, to the municipality or qualifying nonprofit corporation for management in the public interest in accordance with the purposes of this chapter and shall not be managed by the program, except to the extent permissible under RSA 227-M:4, IV. Each assignment of land, buildings, structures, or other property to a state agency, municipality or other political subdivision, or qualifying nonprofit corporation shall be subject to review and reassignment if the authority deems it advisable. The state of New Hampshire shall hold an executory interest in all land interests acquired by the program and assigned to municipalities or qualifying nonprofit corporations.

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a majority vote of the voting members,

deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

227-M:10 Stewardship.

I. All applications submitted for funding resource protection under this chapter must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds for protection activities. Applications to the program for activities such as resource inventories, feasibility studies, and engineering studies are not required to include stewardship plans.

II. The authority is authorized to make funds available for resource stewardship, either in conjunction with protection activities or as a stand-alone request. Deferred maintenance on existing publicly-owned natural, cultural, and historical resources shall not be an eligible use of funds from the program. Publicly-owned historically significant buildings and structures shall be eligible for funding for restoration and rehabilitation work consistent with the historical nature of the structure.

III. Stewardship of assets acquired in fee simple under this chapter may be undertaken through state agencies, municipalities, other government agencies, or qualifying nonprofit corporations. Funding for stewardship may be provided to any of these eligible applicants under a 5-year stewardship plan developed by the applicant and approved by the authority.

227-M:11 Monitoring Endowment.

I. For every natural, cultural and historical resource protected under this chapter with conservation, preservation or scenic easements, a percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:11, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of less-than-fee assets acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to legal agreements in conservation and preservation easements.

227-M:12 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community heritage authority shall recognize that the interest and public safety and welfare may, from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:13, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include

construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community heritage investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community heritage investment program and used for the purposes of this chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:13 Public Trust. The land, buildings, structures, or other property, or interests in land, buildings, structures, or other property acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this subdivision. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any land, buildings, structures, or other property, or interest in land, buildings, structures, or other property so acquired to uses or purposes not consistent with the purposes of this subdivision shall be permitted. The sale, transfer, conveyance, or release of any such land, buildings, structures, or other property or interest in land, buildings, structures, or other property from public trust is prohibited, except as provided in RSA 227-M:12.

227-M:14 Public Access; Liability.

I. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in conservation, preservation, or scenic easements secured through the program shall approximate the intent of the following:

(a) There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

(b) The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

(c) No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be [~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land, consistent with the~~

~~purposes of this chapter]~~ ***deposited in the trust fund of the New Hampshire land and community heritage investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:11***. This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:11***.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:11***, and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:11*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Appropriation. The sum of $2,100,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purposes of this act for the biennium ending June 30, 2001. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. This appropriation shall be non-lapsing.

6 Effective Date. This act shall take effect July 1, 2000.

LBAO
00-2545
12/17/99

SB 401-FN-A-LOCAL - FISCAL NOTE

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from an agency.

Amendments

Sen. Russman, Dist. 19
Sen. Larsen, Dist. 15
Sen. Klemm, Dist. 22
Sen. Johnson, Dist. 3
Sen. Below, Dist. 5
Rep. Torr, Straf.12
Rep. M. Fuller Clark, Rock.36
Rep. Burling, Sull. 1
Rep. Musler, Straf. 6
Rep. Scanlan, Graf. 11
January 10, 2000
2000-3038s
08/09

Amendment to SB 401-FN-A-LOCAL

Amend RSA 227-M:3, II as inserted by section 1 of the bill by replacing it with the following:

II. The authority shall be governed by a board of directors (the board) composed of 16 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Six public members, 2 of whom shall represent natural resources and outdoor recreation interests, 2 of whom shall represent cultural and historic resource interests, one of whom shall represent business or real estate interests, and one of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

Amend the bill by replacing all after section 4 with the following:

5 Appropriation; New Hampshire Land and Community Heritage Authority. The sum of $6,000,000 is hereby appropriated to the New Hampshire land and community heritage authority established in section 1 of this act for the purposes of this act for the biennium ending June 30, 2001.

6 Bonds Authorized. To provide funds for the appropriation made in section 5 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $6,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

7 Appropriation; Administrative Costs. The sum of $200,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. This appropriation shall be nonlapsing.

8 Effective Date. This act shall take effect July 1, 2000.

Committee Minutes

Date: January 20, 2000
Time: 1:30pm
Room: LOB205-207

The Senate Committee on Environment held a hearing on the following:

SB401-FN-A-L establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

Members of Committee present:

Senator Russman
Senator Cohen
Senator Below
Senator Eaton
Senator Johnson
Senator Krueger
Senator Pignatelli
Senator Wheeler

The Chair, Senator Richard Russman, opened the hearing.

Senator Richard L. Russman, D. 19: We'll call the hearing to order and get started on Senate Bill 401. I'm the Prime Sponsor, I'm not going to testify at this point there's too many other people here that would like to testify. Senator Below.

Senator Clifton Below, D. 5: Thank you Mr. Chairman, members of the committee. It's my pleasure to be one of the Co-Sponsors of this important piece of legislation. I just wanted to say a few words to introduce the bill.

Part of what makes New Hampshire so special part of what makes us proud to be New Hampshire citizens to feel like we belong here is the strong sense of place that we enjoy in New Hampshire. A sense of place that is rooted, fundamentally, in the physical geography of the state. The beautiful landscape. The living biological environment that supports us and sustains our life and it's also rooted, very importantly in our history of human interaction with the landscape. How we've cultivated the landscape in farming and forestry. Our patterns of settlement and development of our

towns and cities. The architectural and cultural history and heritage of this state.

What this bill does, of course is establishes a program for ongoing preservation of some of the most special aspects of our land and community heritage and I think that's just fundamentally one of the most important legacies that we as a state as a legislature in this session could leave to future generation is an ongoing commitment to that preservation of our strong and special sense of place, and there is of course a cost involved in doing that. We do have ongoing growth and development in this state I think that in the process of doing that we take a small portion of our revenues and use it to preserve what's special about New Hampshire, and certainly next month will mark the longest period of expansion growth in our economy in the history of the country without a recession and it seems like a very appropriate and good time to make this commitment for future generations. Thank you Mr. Chairman.

Senator Richard L. Russman, D. 19: Questions? Thank you very much Senator Below. Senator Klemm.

Senator Arthur P. Klemm, Jr., D. 22: Thank you Mr. Chairman. For the record Senator Arthur Klemm district 22. I'll be very brief. I agree with what Senator Below has said. One of the concerns I had as a Co-Sponsor on the bill, was exactly how we were going to find the revenue to fund this bill. Seeing all of the other demands upon our resources. I think it is appropriate that we bond this program. It' s the way we bonded the last program was done with bonding. I checked this morning with the state treasure. The six million dollars that is in this bill does fit under our cap of our affordability for the biennium. It puts us right near the top but it does fall within our bonding cap for the biennium and I'll leave the details of the bill to the speakers behind me.

Senator Richard L. Russman, D. 19: Thank you very much. Questions for Senator Klemm? Thanks very much for your testimony Senator Klemm. Senator Larson.

Senator Sylvia B. Larsen, D. 15: Written testimony [Attachment E].

Senator Richard L. Russman, D. 19: Questions from the committee? Thank you we'll recognize Martha Fuller Clark one of the other sponsors.

Martha Fuller Clark: Thank you very much Chairman Russman and members of the committee. For the record I am Representative Martha Fuller Clark I represent Ward 2 and Ward 5 in the city of Portsmouth, and I, too, am honored to appear before you today as the Prime House Sponsor for

Senate Bill 401 and having served as a member of the commission for the last two years, I can tell you that tremendous thought and work has gone in to the plans and programs that are inbodied in this legislation and many of you have been able to already look over the report that came from the commission earlier this year.

This is very thoughtful and very important legislation in fact I believe that this is probably the most significant legislation that the legislature is looking at in the second year of the biennium, and that nothing could mean more to the residents and citizens of New Hampshire than to pass a program which insures protecting our natural, cultural, and historic resources.

Some of the things that I'd like to point out that I think are critical in this a legislation is that it calls for a permanent program so this means that this is a long term and ongoing statement of recognizing what's important in New Hampshire.

Secondly, I think it's important to recognize that it's voluntary and that's a key component of the legislation and third the public private partnership that is really terrifically important and that the structure of the way that this granting program would be implemented recognizes the importance of the public, private, partnership because what it calls for in this legislation is setting up of an authority modeled on the business finance authority and it looks like we have an excellent history of success with the business finance authority.

It becomes more of an incentive for the private sector to play a part than if this were to be a program that was under the aegis of one agency or another. So, I think it is critical in looking at this legislation to understand the reasons for why that authority is called for and how it is being set up.

I would also like to point out and I have a list here that I will leave for you. I will not go through it but to talk about that this is not just an issue for New Hampshire. This is a national issue and we are seeing states from California to Maine, Massachusetts, Vermont, Rhode Island, Connecticut, New Jersey, Illinois, Indiana, Alabama, Arizona, just to name a few that are implementing comparable programs and about a half of those programs have reached the level of sophistication that they too understand that environmental protection involves not just the natural resources and not just open space, farmlands, family farms, agricultural lands, but it also recognizes that we have to preserve the quality of life in the towns and cities across the country and in New Hampshire and one way to do that is to offer a program which also includes protection and incentives for historic and cultural preservation. In addition, I have for you a list of initiatives that are taking place at the Federal level, both with the land and water conservation fund, with the legacy fund, with the historic preservation fund, I'm not going to go into them in detail, there are several other initiatives that are pending and what this will do by passing this program in New Hampshire, it will allow us to leverage those federal dollars on one side of the fulcrum and to leverage

the community dollars and the private funds on the other side of the fulcrum and we must have the state as the principal player in order for that to happen. This is an crisis and an issue facing the state which has already been alluded to that it's larger than any one entity can undertake on their own.

We all have to be players to preserve the economic vitality and quality of life in the state, and finally I have for you an amendment which I would like to bring forth that is sponsored by all of the sponsors of the bill and it does a number of different things. It specifies in the amendment and I didn't really put these together, but I'll leave the amendment for you that of the six public members, now two of those or one of them shall represent business or real estate interests. It also calls for an appropriation for the sum of six million dollars to be appropriated through bonding and that bonding would begin in the year 2001 and finally there's language here for the authorization of that bonding and there is also language for the administrative costs that the sum of $200,000 is appropriated to New Hampshire Land and Community Heritage authority established in section one of this act for the purposes of funding administrative costs for the authority beginning for the biennium ending June 30th 2001 so there are some additional components that up the amount of money that we're initially requesting but also provide through his amendment a different mechanism for releasing those dollars that will have less of an impact immediately on the general fund so I hope that this committee will take that under consideration and a final suggestion that I would make to you with regard to the bill does not appear in this amendment and I believe it was an oversight in the bill.

If you could turn to page five on line nine, this is under roman numeral three, and ask that the language currently read "restoration or rehabilitation of publicly owned buildings or structures." It is clear in the language in the rest of the bill that all of the granting opportunities should be extended to non-profits as well as to municipalities. So, I would recommend that the language here be rewritten simply to read "restoration or rehabilitation of publicly or non-profitably owned buildings for structures so that it's clear that non-profits who own buildings and structures are as eligible as publicly owned buildings and structures, and you may have slightly different wording. It's a little cumbersome but the idea there is to make sure that you're not eliminating that opportunity for the non-private preservation sector.

I'd be glad to answer any questions. I hope that everyone here will consider this legislation as significant as I do and move it forward with very, very string support and commitment.

Senator Richard L. Russman, D. 19: We'll speak with our grammar person on the non for profit word.

Martha Fuller Clark: Yes, but you understand the intent.

Senator Richard L. Russman, D. 19: Yes, we understand what you mean. Questions? None, thank you very much for your testimony. Representative Burling.

Peter Burling: Thank you Mr. Chairman. In light of the extraordinary assemblage behind me, I'm going to do this in less than a minute. This is a great bill, a fabulous initiative, a bold start to this millennium, and I particularly want to say I think it's great because it includes both the physical assets of our landscape and the cultural assets of our existence in that landscape, and I would hope that whatever we do we don't separate those. This is a combination of ideas for preservation purposes that is really extraordinary and I know because I know some of the people who are about to testify that there are folks here who can make the case for preserving cultural historic and environmental assets if you will, much more forcefully than I. It is a great idea, I urge your support and I, too am honored to be here in support of this bill. Thank you.

Senator Richard L. Russman, D. 19: Thanks for your remarks. Senator King.

Senator Frederick W. King, D. 1: Mr. Chairman and Members of the Committee. For the Record I am Senator Fred King. I represent all of the communities in Coos county, five towns in Grafton county, Senate District 1 this is all of New Hampshire north of the notches.

I have indicated that I support this bill and in fact I, too have a couple of amendments that I'd like to offer for your consideration, and I'd like to try to... my colleagues know from time to time that I speak strongly of the difference between the southern New Hampshire and the northern New Hampshire where I live, and sometimes I think I leave the meeting with the sense I've led my colleagues to believe that those people who live and work in the north country may not care as much for the environment and the wildlife as maybe people who live elsewhere in the state, that we would just want to cut trees and shoot the animals and stay alive and stay a {inaudible}... and some of that's true but not all of it.

So just to set the record straight as I looked around the audience I didn't see many of my constituents here so I'd like to take a little of their time if they were here to kind of set the record straight and I offer for your consideration three documents. { Attachment D}. I don't ask you to read them. I don't expect you will read them, but what these are, these are planning documents that represent about three years of work that was undertaken a few years ago by some pretty well known people in Co-os County.

The first document was a master plan. This master plan was developed for the unincorporated places in Co-os County. Those are the areas as you know,

you've heard me speak about them, where there is no formal government and basically those are the large landholdings and that's the place that people like to go and hunt and fish and snowmobile, and recreate and that's where we depend a lot on that land for support of our economy through the timber resource, and I just want to take a moment to give some credibility to my statement and tell you who the people where who planed this, who worked on this planning document. We met about once a week for a couple of years. The first name that comes to mind is Steve Barba, you may know Steve Barba one of the managing partners of the Balsams Corporations. Paul Doherty, you've probably all heard of Paul Doherty former conservation officer, well known outdoor writer, probably knows more about the land in and around Mt. Washington than anybody in the state. Former director of parks, I believe. Everett Frizzell, an educator and a Selectman in the town of Stark, Beaton Marsh. Beaton Marsh used to be a Representative. I believe he was Vice-Chair of the Public Works Committee when he served in the Legislature, former furniture executive. Richard Pinette, another educator and a well known writer of books and writes a weekly article for the local papers. Probably knows more about the land and the special places in the Northern, North Eastern part of Co-os County than any one. Robert Shaw an engineer, land developer, Mary Sloat a professional planner by training. Remember, her husband at one time was parks director for the Appalachian Mountain club and a person that the Committee knows Brad Wyman has served on this committee and worked very hard with us. Another name you've heard of the first Chair of this planning committee was Jeff Taylor and I'm sure you all know who Jeff Taylor is when he worked for the City of Berlin. As a matter of fact I told Jeff we taught him everything we knew with accounting and he came down to work for the state.

So, those are the people who participated in this process and we did a master plan and that became effective October 17,1989 and then two years later we managed to get our zoning ordinance put together and when we did this we looked hard to find a basis for doing this document and we found out really nobody in New Hampshire knew how to do a land use plan for that type of a terrain that's large large areas so I went over to Maine and met with land use regulatory commission and a lot of these documents comes from them and some of the things we have in here are I'm sure people will find very important.

One of the things we did, we identified some very special environmental features, and if you get a chance, I'd call your attention to take a look at those and we stated very clearly what types of things could happen in those special places and those things that couldn't. One of the things we said, no cutting of trees above twenty-seven hundred feet, or on steep slopes unless they got a special permit. We established a process land owner wanted to cut timber above twenty-seven hundred feet, the procedure was they got hold of the biologist for the New Hampshire Fish and Game Commission and they went

out and they looked at the land and they did a plan and when the biologists for the state said the plans okay we gave them a permit. A few years later there was a lot of publicity about this whole... all of a sudden nobody was going to be able to cut above 27hundred feet. We actually did that in 1991, but we also developed a document about that contains our subdivisionary relations so we are not as backward as I perceive some people think we are when it comes to dealing with the environment.

From my own perspective, I just want to point out that I voted for and supported a concert with some very important environmental initiatives. I was one of the Co-sponsors of Ned Gordons Lake Tarlton project. I supported that because the two towns which that land was located had voted for that program. A few years ago there was a parcel of land behind the Mt. Washington Hotel in an Unincorporated place called Crawfords Purchase and as you look off the porch of that hotel if you've ever been there, and looked at the mountain, that land was the first high ground you saw. That land had been subdivided in concept into a multi-condominium concept with another golf course. That land is now part of the White Mountain National Forest. I supported that acquisition as did the Co-os County delegation and we've had authority over that land. Two years ago I wrote a letter to Randolph in Jefferson for a project that they wanted to do another major acquisition in forest because both those towns supported it, and I think that that is key to the issue. We should have local support for our projects.

You all have seen these documents I'm sure but 1997 we had a two hundred and fifty-thousand dollar appropriation in the budget to allow regional planning commissions working with all the communities to develop a list of special places and the North Country Council which I used to be the President of at one time took this on in the North Counrty. There's hundreds and hundreds of places that local people have identified that they'd like to see protected, so they do recognize that that is an important issue.

I'd like to speak about the amendments that I think we ought to consider. I think we need to talk about having local vote on projects. We passed a bill last year that has to do with local control and that bill received almost overwhelming support in the legislature and I think that one of the things that local communities should control is what happens in that community when it comes to land use and acquisitions of property and special budgets.

The other thing I'd like to see happen is, one of the things that we have the greatest concern for when we start to talk about programs like this is the local, the land passing from private control to public control, and the reason for that is historically what happens in public control, the trees are not cut or they are cut less and we continue to depend on the harvesting of trees for the economy where I live. Until we can convert our economy to some other form of high tech or whatever and they're trying to do that up there, we need to be able to have the forest resource available to support everything else and we know that when it comes under public ownership the advocates say you

shouldn't do this, you shouldn't so that, you shouldn't have roads and that is a major concern of mine and my constituents. So I propose another amendment for your consideration. It used to be ten thousand, twelve thousand, now we say it's twenty-thousand acres of New Hampshire that gets developed every year, essentially gets paved over and I believe that's probably true so what I would like to have you consider is that when this commission is looking at major land acquisitions, that they look to see where the paving is taking place, as an example, we'll assume that ten thousand acres is a number and if four thousand acres of that is in Hillsboro County, then I would suggest in Hillsboro County, they should protect four thousand acres of land and if it's a thousand acres in Co-os county then we ought to protect a percentage of that up there.

Historically what happens, land gets paved over in the south and it gets protected in the North and I think that's wrong, it works to the detriment of the people that I represent so I'd like to have you consider maybe something along those lines, and I just wanted to say we've already made our donation. In addition to some of the other things that I mentioned I would say that a few years ago in the town of Model which is an unincorporated place, thirty-nine thousand acres became a state park known as the Nash Stream State Forest. There's the [inaudible] Fish and Wildlife refuge up in the Northeast Corner of my district and that's a federal wildlife refuge. I support that. I want you to know I support that, the community supports it.

There's forty-one hundred acres there that's in that refuge in New Hampshire. Right at the present time there's eighteen thousand acres of champion paper land in Columbia that's going to be coming under protection. Fifteen mile falls project on the Connecticut river, involving property loans in Pittsburg, involved eleven thousand acres that went under protection, so I think the members of the commission have heard this plea before and I apologize for saying to you again but I want it to be on the record that I think that when you talk about protecting large parcels of land you should be protected everywhere in New Hampshire not just in the North Country.

I had an opportunity this summer to fly from Concord over to Pease airforce base in a army helicopter along with some other legislators and we took a refueling mission on a tanker and I was amazed as we flew across how much forested land there was and we were flying low and slow and we could see that it's a tremendous amount of mature hardwood there. There's some great opportunities to protect land between Concord and Pease airforce base so I would suggest that that is what we should do. I don't oppose this bill I think as the other speaker had said this is a very important bill and we need to do this. New Hampshire is going to grow unfortunately, or fortunately depending on how you look at it, the growth is not evenly distributed throughout the state, the opportunities that come from growth or better jobs and better living conditions for individuals, is not equally distributed

throughout the state, it never has been, but I do support the bill. I will support it in the Senate, and I will support it when it gets over to the House.

The last thing I want to say, however, as Vice Chair of Senate Finance, I have to remind you that as of today, we have a thirty-nine million dollar deficit in our operating budget which we have to fix between now and the first of July. If we fail to fix that deficit now, that thirty-five million dollars will be added to four hundred and seventy-five million dollar deficit that we're going to have at the end of the next biennium so if we pass a few million dollars worth of specials, pass this program, this state is looking at a half a billion dollars in deficit in our budget, so if you can bond this, if there's a way to bond this then perhaps that's the way to go but I would suggest that if you try to get the money out of the operating budget, it simply is not there, and as we meet through the session and talk about other issues, the state's broke, lets face it, if we were a corporation we'd be in chapter 11 right now, so we have to face that and I'm going to leave this with you and I don't expect you to do anything but I want to make these as exhibit one, that we do understand the environment, we know how to deal with it, and I will say that of the work I did in the county, I take the greatest pride in these documents. I had a lot to do with writing those, so thank you very much.

Senator Richard L. Russman, D. 19: Thank you. Questions for Senator King? Questions Senator Below.

Senator Clifton Below, D. 5: Thank you Mr Chairman. Thank you Senator King. You've suggested two proposed amendments, you don't have specific language for these?

Senator Frederick W. King, D. 1: No, I don't.

Senator Clifton Below, D. 5: I want to understand your idea a little bit better. One was to perhaps require local votes in from the communities where proposed project is? If a proposed project was in multiple communities and some communities voted for it and some didn't, how would you suggest dealing with that?

Senator Frederick W. King, D. 1: I don't know. I guess if we were going to have a vote, it'd require the vote of both communities.

Senator Richard L. Russman, D. 19: Part of this because of the match is going to have to be some local input in here because they've got a forty percent match that they've got to come up with.

Senator Frederick W. King, D. 1: That's true for communities but we also have NGO's who will be able to come up with their match, get the state

match, get the federal match and do something in one of my communities without my town voting on it. That's my concern. I think we all know that given this expensive list that every regional planning commission came up with, in five hundred years if the state had money, we probably couldn't meet all those places that have been identified so I realize there's going to be a lot of competition for these and I as you know, the short time that I spent on the commission, I advocated having a substantial local match so that those communities who really have a desire for something would put their money up. I think that's important, but if it's a non- governmental program in a community then I think the town should vote on it.

Senator Clifton Below, D. 5: Your other suggested amendment was to somehow provide land and heritage protection in proportion to where development is occurring or in proximity to where the development is occurring.

Senator Frederick W. King, D. 1: Within the county.

Senator Clifton Below, D. 5: On page six of the bill there's a list of criteria and guidelines for acquisitions and for instance, among the criteria to be considered are proximity to other protected resources. You're suggesting that, would your idea of an amendment perhaps fit into this list of criteria and perhaps say something proximity to or relative to where development is occurring, proximity to where development is occurring and where perhaps preservation is needed. I s that where it might be appropriate to do that?

Senator Frederick W. King, D. 1: I read that in proximity to protected resources is a concern of mine because we're talking about land and we've got most of the land that's protected in the state, then it's guess what... So I just think that we could develop language that would simply say that this commission which is going to be running this program would consider that when there was a large acquisition of land, we could define what a large acquisition of land was and talk about the parcels of literally thousands of acres. If they're going to be protected, then they ought to be protected in the county where the development takes place and I would think those people in those counties would like that. I read the other day that I think one of the counties down near the seacoast has just run out of developable land, is that getting to be a concern? I assume it is. So it's too bad for people, some school children that want to really see the big woods, have to ride in the school bus all the way up north. We'd like to have them just go the next door town down there. I think it would be more appropriate.

Senator Richard L. Russman, D. 19: You wouldn't entertain an amendment just exempting Coos from this program would you?

Senator Frederick W. King, D. 1: No because I want my communities to have a chance for this program. you offered that before didn't you?

Senator Richard L. Russman, D. 19: Right, I still think it's a pretty good idea. I need them down in my area frankly.

Senator Frederick W. King, D. 1: If you want to exempt them from large purchases of land taking place then I would advocate for that probably to get the votes for up north.

Senator Richard L. Russman, D. 19: Thank you very much.

Representative Tim O'Connell: Thank you Mr. Chairman. I hesitate to speak because of the number of people here and also my voice but sitting back there thinking about it and maybe I'd like to relate to you an experience that I've had within the last three years. I happen to live in.... I'm Representative Tim O'Connell from Hillsboro 13 representing the town of Milford and just to recapitulate things real quickly, I happen to live in one of the small farms in the town of Monson. I'm on the one of the original boundaries of Monson which I'm sure most of us have heard of in this room and I'd just like to relay to you that probably, I guess it was about three years ago, right about this time that a handful of people, probably six, began an effort to save this property, and I can assure you since my wife was one those six that it was a Herculean task, seven days a week, it was her life. It went on and it looked very pessimistic. I truly believed that this could not be saved from development but through their efforts and I must add when the Society for the Protection of New Hampshire forests came on board, and also inherit New Hampshire which at this time I believe is the preservation alliance, there was some light at the end of the tunnel and as most of you know, that program raised hundreds of thousands of dollars and was successful, but in all honesty realizing the work and effort that went into that, I can't imagine that happening on a regular basis in this state without some kind of program which you're proposing today in this bill. It was an enormous effort, a tremendous private interest and enthusiasm although I must assure you it was a very, very difficult task and that's where I think this can have some real value.

Senator Richard L. Russman, D. 19: Thank you very much. Thank you. Questions none, thank you very much. Tom Burack who is the Chairman of the New Hampshire Heritage Commission.

Tom Burack: Thank you Mr. Chairman, members of the Committee. I will be very brief. You have all seen our final report from November of 1999, and I just want to appear on behalf of myself and I think I speak for members of the commission as well in thanking all of you for your attention and particular in thanking the sponsors of this legislation for their efforts to bring it to fruition. I also want to express support for the amendments that Representative Fuller-Clark on behalf of the sponsors have described today. The Commission worked very hard to put it's recommendations together. I commend the legislation to you because I think it has done an excellent job of incorporating all of the fundamental aspects of the Commission's work.

I know that there has been some concern expressed about the funding levels here but I think it's understandable although the need is clearly one of at least twelve million dollars a year it's certainly understandable in light of where we are as a state at this moment that we start with a six million dollar funding level with the expectation that this is a start-up amount and we're going to work toward a higher funding level over time. Again, I want to thank you very much for you're time and attention. I'll provide a copy of the written statement and be happy to answer any questions.

Senator Richard L. Russman, D. 19: Thanks. Questions? Thanks very much for coming and I would recognize former Senator Rob Trowbridge.

Rob Trowbridge: Thank you Mr. Chairman. For the record my name is Rob Trowbridge I'm from Peterboro New Hampshire. I'm a former Senator here, and I'd just like to point out a couple of things that I've come across in my experience. When I retired from Senate, I was immediately drafted into the Society for the Protection of New Hampshire Forests and then Paul grabbed me and I had to raise the money for the trust for new Hampshire lands and we raised three and a half million dollars in private funds to take care of the administrative costs of what became the LCIP.

After that successful program, I was again drafted to become a trustee of the national trust for historic preservation in Washington, and I spent nine years seeing historic preservation done the right way, nationwide, and what a difference it made to the communities where they had programs such as this like Indiana, places that we here being a colonial state should have this but we don't have it, all the guys out west do because they recognize that they have to save their historic places. Then, when I got off the board of the National Trust, I came back to New Hampshire and I wondered why New Hampshire didn't have a main street program. Main street being a sort of combination of downtown revitalization combined with historic preservation. Well I looked around and found Chris Klaussen and some others and we now have a New Hampshire Main Street, a very vital main street center with twelve communities doing the work. Milford being a very terrific example, and so I've been in the trenches here combining land preservation on the one

side and historic preservation on the other, and I" like to point out that I think something that hasn't been said here, what I've learned over that period of time is that an ounce of prevention is worth five pounds of cure. The gentleman from Milford who just testified about the Monson program we could have easily bought those acreage's of the earliest settlements west of the Merrimack for thirty thousand dollars years ago, but we paid three hundred thousand dollars because we didn't have anybody looking at those kinds of things. That is where I think you can justify a certain amount of money on the part of the commission to be able to take options when things happen. The trust is for public land so I think you probably know who works that way and is a great model. They don't keep the property to themselves. They get it and then lay it off to someone else. That is the role of this commission.

The other thing that I learned is that in historic preservation, you can't just buy the building and just then leave it like you land. You have to find another use for it. You have to do something about it. The best example I have is the Alamo. How many of the committee have ever been to the Alamo? Good. Well I think you all understand what I'm about to say is at the Alamo you think of Davy Crockett and all those guys. You're walking down the street and all of a sudden you come by and you say oh.... That must be the Alamo. It's surrounded by third rate drug stores, video shops, it lost all of any majesty that it might have once had.

You can not do historic preservation without saying that the landscape around it is as important as the thing itself. You've got to make it authentic. Authenticity is the name of the game in historic preservation so I'm very happy to think that the concentration of this commission would keep in mind that we're going to want to watch out for what's going on in Derry around Robert Frost's home. We're going to watch out. We mentioned the Balsams today. At some point in time just like the Wentworth you're going to find that you wanted to preserve the Balsams. You've got to do it ahead of time. You've got to get there, and you've got to get that thing going, and that's what I want to point out is that it's not just the amount of money that a commission would have it is the forward looking view of saying what do we want to preserve now before it is in crisis. That is the message that I would like to say. The other thing that I would like to say, and again I'm patting myself on the back a little on this one is that the room that we're sitting in, this was the old Concord post office. When I was chairman of public works and highways in the House, Stewart Lamprey who was then Senate President wanted to tear this down and build a new... like the annex and I said sorry. We acquired the building from the Federal Government for five hundred thousand dollars, hired Dick Duddley a local architect, and the room you are sitting in, the legislative office building, is historic preservation at its best. Thank you very much.

Senator Richard L. Russman, D. 19: Thank you any questions? Thanks very much for your testimony. Now, I'm going to recognize Susan Arnold from the Governor's office.

Susan Arnold: Thank you Mr. Chairman I will be very brief. I will not elaborate on the Governor's support for this proposal or the intent and for all the hard work that the commission put into developing this bill and of course the sponsors. She believes very strongly that there should be a permanent program like this in order to insure it remains permanent she also believes there needs to be a dedicated revenue stream to support it so she would urge this committee and the sponsors to continue the search and I know it's a difficult one and at a time when there are a lot of constraints on what's available to find a dedicated revenue stream to support this important work. R Realizing that this is going to take time, the amendment that Representative Martha Fuller-Clark has presented about bonding is certainly something that we think we could support on an interim basis. We'd, again, be very happy to work with the committee and the sponsors and when this goes to Finance Committee to talk about ways to structure that bonding to make it have the least impact possible on our capital budget, and finally I would want to say that we would oppose funding the administrative expenses either by bonding or as proposed in the amendment out of the general fund. I'd really like to look to the model of the LCIP in which there was private fundraising to support the administrative costs, again perhaps it's interim but that's the way to go but again she is very supportive and congratulates everyone involved.

Senator Richard L. Russman, D. 19: Thank you Susan Arnold. Questions for Susan Arnold? Thank you very much for your testimony. Bernie Waught from New Hampshire Municipal Association you were in favor of the bill you did not wish to speak is that correct? O.k., we've got Harry Reid , Ammonousic Conservation Trust in favor of the bill did not wish to speak. Michael Andrews representing himself from Washington New Hampshire did not wish to speak but in favor of the bill. Representative Jay Phinizy in favor of the bill. Charley Levesque representing the trust for public lands in favor of the bill does not wish to speak and Ann Friend, Representative Wiggins from Sullivan District4, in favor of the bill did not wish to speak, Kathleen Harvey from Brookline Conservation Commission is providing written testimony, and Patryc Wiggins.

Patryc Wiggins: Good afternoon Chairman Russman and good afternoon committee. [Written Testimony attachment G].

Senator Richard L. Russman, D. 19: Gordon Barker.

Gordon Barker: I drove all the way up from Stratham so I thought I'd put my two cents worth. Thank you Mr. Chairman and the Committee. My name is Gordon Barker. I'm presently the Chairman of the Conservation Commission in Stratham and I am also a vegetable farmer in Stratham. The forth generation with my wife and I also was the Chairman of the LCIP when it was in existence and I'm in favor of this bill. Right now we're in negotiations with the land owner to purchase the property. I'm trying to convince the town to purchase this property and we could have matches funds it would be an easy sale. Right now I'm trying to convince the town to buy it and preserve it just as a working farm and I got one selectman on the fence. One definitely opposed of it and a third I'm still working on so I think those os really important to help the Conservation Commission with some resources to convince the townspeople and the selectman to go on.

The other statement is it's also important for farms like myself to plan for the estate transfer of the farmland to the next generations and to do that is to put a conservation easement or sell the development rights, otherwise the land in Stratham right now is very expensive and I can go on but I'll let other people speak.

Senator Richard L. Russman, D. 19: Questions? Thanks very much for your testimony.

Joanna Ludkin: My name is JoAnna Ludkin. I am 14 years old and a ninth grader at fairgrounds Junior High School in Nashua, and I'm also the vice-president of the student historic preservation team. I am one of over 75 junior high school students who have been involved with the group. Altogether we have put in over 3000 hours on a project called the gatehouse project.

The gatehouse is in Nine Falls park in Nashua and it controlled the flow of water to a power canal leading to the Nashua Manufacturing companies mills. When it shut down, it's old brick walls were treated as a canvas for local graffiti artists and the land around it was regarded as a dumping ground.

In 1998 when eighth grade history teacher Mary Coe learned about what was happening to the gate house, she told her students about it. We decided to change this. We formed the Student Historic Preservation Team which is now often called the SHPT for short. Since the SHPT was born in 1998, three goals were established. They first wanted to remove the graffiti from the exterior of the building. Second to landscape the area around the gatehouse and third to turn the interior of the building into a mini museum.
During National Preservation Week last spring, we did a graffiti removal test patch on a gate house building using a new baking soda machine.

One of the most important things we have done is to collaborate with the city of Nashua Community Development Division and Nashua's Park and Recreation. With them we plan to meet our first goal of removing the graffiti

for National Preservation Week this coming May. When I first learned about the history behind the Gatehouse in Nashua's mills, I came to the realization that things that people did a century ago play an important role in the way we live today. After thinking about this a little more, I worried that the things we do today that we worked so hard to accomplish may be completely lost in another hundred years.

The reason I'm a part of the SHPT is because I care about people who lived before me. I want to recognize what they contributed to our history, just as I want our accomplishments to be remembered in the coming century. We have worked very hard in the past year and a half to raise ten thousand dollars. Some of this money we have raised from fundraisers like bake sales and working at local festivals and some by seeking donations from both public and private sources. We raised our first hundred dollars in pennies. It has been an uphill battle for us. We ask you to support Senate Bill 401 in hopes that this program would provide the kind of support we need including possible matching funds. A little bit would go a long way.

Specifically for our project there are two ways this bill would help us. First, it would provide some predevelopment funds and would also help with the stabilization of the gatehouse bill in itself. Second, and of critical importance to us, it would provide encouragement to hardworking students who are learning to become active members of our society. This would not replace our efforts with public and private partnerships but would support these partnerships and our work. Thank you very much for your attention. I'm very pleased to be here today to represent the student historic preservation team of fairgrounds Junior High from Nashua. I hope you can support Senate Bill 401 and if I may I'd just like to give you copies of our newsletter so I don't have to talk any further.

Senator Richard L. Russman, D. 19: Does anybody have any questions? Senator Krueger.

Senator Patricia Krueger, D. 16: I just want to make a comment. I want to commend you. It is wonderful to see those of us that have lived a little bit longer than you involved in these kind of projects but to see people of your age really gives us pause and makes us realize how incredibly vital it is that we continue this. Thank you very much.

Senator Richard L. Russman, D. 19: Ben Gayman, did you wish to speak?

Ben Gayman: Not really, I'll just rise to state the obvious. I'm here for the Society for Protection of New Hampshire Forests. We're enthusiastically supportive in this legislation. Appreciate your consideration, and want you to know how thoroughly committed we are to work on the public, private partnership that's involved here including raising of the funds.

Senator Richard L. Russman, D. 19: Thanks very much. I appreciate your comments. Gordon Russell, Pisquataquos Water Shed association. I only wish to say I represent nine towns in Hillsboro County where sprawl, the fingers of sprawl are really reaching into us and raising havoc with the quality of life and what we want to protect and we are in full support of what you're doing. Thank you.

Senator Richard L. Russman, D. 19: Tom Howard, New Hampshire Association of Realtors.

Tom Howard: Yes sir. I think it's important that I speak briefly. It is highly conceivable that one might have thought that world just could have come down on the other side of the ledger in this activity so today I am speaking on behalf of the New Hampshire Association of Realtors four thousand members who do real estate brokerage throughout the state of New Hampshire. We support the passage of Senate Bill 401 with the proposed amendments to fund the acquisition portion of the program through bonding of the six million dollars and by identifying one authority member as representing business and real estate interest.

Current discussions and it was just mentioned of sprawl control and growth regulation strongly suggest s that we must identify the best ways to properly manage the rapid growth in our state. as a basis for this growth management, the retention of those characteristics that make New Hampshire a special place to live, work, and play is vitally important.

Our real estate markets are highly dependant on these natural, cultural and historical resources in the Granite State and the New Hampshire Association of Realtors believes that the land and community heritage investment program is an open market approach as opposed to and which is preferable to a regulatory approach to the situation. Proposed legislation addresses the deepest concerns that the realtors have had in our discussions since the establishment of the Land and Community Heritage Commission n We believe that a program that would benefit New Hampshire Citizenry as a whole must be funded in a broad based manner. The proposed bonding responds to that concern. A program of this nature must respect private property rights specifying that all projects shall involve a willing seller and willing buyer answers this concern. Further Senate Bill 401 speaks to issues such as local involvement in the process. Public access to protected resources and maintenance of private ownership when feasible. Realtors view these as positive aspects of the legislation as well and New Hampshire Association of Realtors urges you to please vote to recommend ought to pass on Senate Bill 401.

Senator Richard L. Russman, D. 19: Thanks very much for your coming here and telling us about that. Nancy Dutton from the Department of Cultural Resources.

Nancy Dutton: I am speaking also for my Commissioner but I'll hand in written testimony and forgo all my opportunity to talk.

Senator Richard L. Russman, D. 19: O.k., thank you very much Nancy for that. Harold Janeway for the Nature Conservacy.

Harold Janeway: Thank you. I'll try to be as brief as Ben Gayman. I'm from Webster. Chair of the Nature Conservancy in New Hampshire and I think I'd just like to add a comment on sunsets and sunrise having been involved with Rob Trowbridge and others in the development of the LCIP program which you've heard a lot about which was such a wonderful program. One of the selling points that we built into that program was that it wouldn't last forever and it did have a five year life and we felt that improved the chances and would get things started. Of course as soon as the sun set we began to regret that and many people have been working for the past seven years to see if we couldn't get the sun to rise again and this bill will do that and we hope very much that the sun will rise and shine permanently.

Senator Richard L. Russman, D. 19: Thanks very much. Brad Wyman.

Brad Wyman: Thank you very much. Yes, I am here in support of the bill from the North Country, and I'll turn in my comments here.

Senator Richard L. Russman, D. 19: Thanks Susan Francher.

Susan Francher: Thank you. I am Susan Francher I am the Forest Planner with the New Hampshire Division of Forests and Lands and I'm here representing director Phillip Bryce who has asked me to read a brief letter to you however with respect to your time crunch let me just say that the Division of Forests and Lands strongly supports this bill. We believe that the establishment of this program is critical to the maintenance of New Hampshire's working force landscape as well as protection of ecological resources and let me offer the divisions assistance if there's any information that we could offer to you.. and here's the letters form Director Bryce. Thank you.

TAPE CHANGE

Senator Richard L. Russman, D. 19: Marjorie Swope New Hampshire Association of Conservation Commissions.

Marjorie Swope: Does wish to speak only to submit a letter of support from the Brookline Conservation Commission. We are, needless to say we are in strong support of the bill and also a resolution was passed by the Concord city Council in support of the bill last Tuesday.

Senator Richard L. Russman, D. 19: Great. Julian Zelazny from Audobon.

Julian Zelazny: Thank you we're strongly in favor of the bill. I'll yield my time.

Senator Richard L. Russman, D. 19: Thank you. Is there anybody else that is here that wishes to speak on the bill?

Larry Brown: Larry Brown, member, volunteer, next door neighbor and designated reader for the New Hampshire Farm Museum, Plumers Ridge in Milton New Hampshire. As many others here I'd like to speak in favor of Senate Bill 401 and it's support for the treasures of the state, cultural, natural, historic, resources. I asked to speak because our museum is such a treasure and I think it represents a great deal of the focus of legislation.

It is particular and irreplaceable.... [inaudible, tape interrupted by loud noise]unique history, spectacular architecture, which if lost, will never come to us again. Close to six hundred feet of connected farm buildings. Two antique capes, a federal farmhouse, a federal tavern, and a great barn at the Jones farm, a hundred and four feet long, four stories high. There is a cash poor rural museum. We very much depend on local support, the help of volunteers and even so we teeter on the edge of success. We are a not for profit group, and this is a common agricultural heritage of the state. One that exists no where else in the state. In New Hampshire's own words we had a story to tell if we remained to tell it. I support the bill.

Senator Richard L. Russman, D. 19: Thank you very much. Is there anybody else that feels compelled to speak. Mr. Dolittle.

Mr.Dolittle: Chairman of the Derry Conservation commission. I just wanted to say that we're behind this bill.... glad to hear it.

Senator Richard L. Russman, D. 19: Thank you very much. Anybody else? If not we'll close the hearing on Senate Bill 401.

Respectfully Submitted,

Anna-Maria Tsorvas
Committee Secretary

Attachment A

Business & Industry Association of New Hampshire

To promote and preserve the economic well-being of New Hampshire.

January 20, 2000

The Honorable Richard L. Russman, Chairman
Senate Environment Committee
Room 104, LOB
Concord, NH 03301

RE: SB 401, Establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

Dear Mr. Chairman and Committee Members:

The Business & Industry Association (BIA), representing the interests of businesses, large and small, across New Hampshire wishes to express its strong support for SB 401.

The New Hampshire Land & Community Heritage Commission, on which the BIA participated, explored the pressures on New Hampshire's natural, cultural and historical resources caused by a strong economy, rapid development and other sprawl-related issues. Like many, we are concerned that this growth may be slowly eroding those resource elements that make New Hampshire a special and unique place to live.

There are two components of SB 401 that merit your special attention – the need for a willing buyer/willing seller and the ability to provide long-term stewardship to resource protection.

Willing Buyer/Willing Seller

One fundamental principle underlying this effort is that it be strictly voluntary, that in no way or under no circumstance could eminent domain (except in cases of voluntary quieting of title) ever be used to acquire property rights, and that all potential projects must have the direct consent and involvement of the property owner. Therefore, having a willing buyer/willing seller is an essential requirement of this legislation.

Long Term Stewardship

Secondly, the ability for an applicant to provide long-term stewardship to the protection of these resources is another critical component for your consideration. All applications for funding resource protection activities must contain a "stewardship" plan and these plans will play an important role in evaluating competing applications.

Travel Industry Also Supports SB 401

As a director with the New Hampshire Travel Council, I wish to express that this organization endorses SB 401 enthusiastically.

At the Governor's Tourism Summit in May of 1998, participants identified more than 30 top issues that are critical to the future of travel and tourism in our state. One of the most important challenges addressed by this group was retaining the "essence" of New Hampshire.

In short, summit participants concluded that New Hampshire will only be a good place to visit if it continues to be a good place to live. Visitors will come only if we work proactively to retain our scenic open spaces, rich historic and cultural attractions and livable communities, as well as the social structure that strongly values community involvement and volunteerism. The New Hampshire Travel Council feels strongly that SB 401 goes a long way in meeting this challenge.

In closing, thank you for the opportunity to voice our support for SB 401. The course of action outlined in SB 401 to protect these vitally important New Hampshire resources will leave a lasting legacy for future generations of citizens and visitors to enjoy.

Sincerely,

Timothy W. Fortier
Vice President

This Document did not include an Attachment B

Attachment C

New Hampshire Fish and Game Department

2 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: http://www.wildlife.state.nh.us

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.state.nh.us

Wayne E. Vetter
Executive Director

January 20, 2000

The Honorable Richard L. Russman
Chair, Senate Environment Committee
N.H. State Senate
Legislative Office Building, Room 104
Concord, N.H. 03301

Dear Senator Russman:

The New Hampshire Fish and Game Department wholeheartedly supports Senate Bill 401, the Land and Community Heritage Investment Program.

With the success of the Land Conservation Investment Program still fresh in our memories, we are pleased that this proposal is moving forward. Like the LCIP, the Land and Community Heritage Investment Program is the kind of public-private partnership that works well in New Hampshire. This will generate grassroots support for important conservation initiatives for many years to come.

The proposed Land and Community Heritage Investment Program fits well with New Hampshire Fish and Game's mission to conserve, manage and protect wildlife resources and their habitats. Wildlife – and all who enjoy wildlife – will benefit greatly by having additional lands protected through this program.

As New Hampshire continues losing more than 15,000 acres of open space each year to development, we stand today at a crossroads to the future. Down one lane is a New Hampshire that is bursting at the seams with new housing and commerce. Down the other lane is a New Hampshire that has managed to keep what's best – the rural, natural and historic places that make this a wonderful place to live, play and work. That's a state I want to live in – a state that knows what's precious and takes pains to protect it.

On behalf of the New Hampshire Fish and Game Department, I urge you to support SB 401, the Land and Community Heritage Investment Program.

Sincerely,

Wayne E. Vetter

Wayne E. Vetter
Executive Director

CC: Fish and Game Commissioners

Conserving New Hampshire's wildlife and their habitats since 1865.

Attachment D

New Hampshire Wildlife Federation

Affiliate of the National Wildlife Federation

54 Portsmouth Street, Concord, NH 03301

Phone: (603) 224-5953 *E-mail: nhwf@aol.com*

Fax: (603) 228-0423 *Web: www.nhwf.org*

January 20, 2000

Testimony: Supporting SB 401 ~ Establishing the New Hampshire Land and Community Heritage Investment Program

Presented to: Senate Committee on the Environment

Presented by: Dorothy Tripp Taylor, Special Projects Coordinator, NHWF

The New Hampshire Wildlife Federation strongly supports the establishment of the New Hampshire Land and Community Heritage Investment Program!

We are proud to have played a part in the discussions which ultimately led to the creation of the New Hampshire Land and Community Heritage Commission and continue to congratulate the members of that Commission on their hard work and excellent results. Their report does a fine job of describing the threats to the New Hampshire land scape and outlines an excellent approach to solving the problems caused by those threats. We agree with the Report of the NHLCH Commission that "the pressures on our natural, cultural and historical resources caused by growth and sprawl are seriously affecting the quality of life of New Hampshire citizens." Many current initiatives, under the rubrics of "sprawl" and "smart growth", seek to address different aspects of the same problem. Our 3+ year old Community Conservation program is our effort to help New Hampshire communities better understand the economic benefit of keeping land in open space.

We at the New Hampshire Wildlife Federation have been pleased to see support for this endeavor grow from a small handful of visionary leaders to the large and remarkably diverse group that presently supports this effort. Broadening the project to include historical and cultural resources marks an important new recognition of the interplay between various elements of our landscape.

Through my work on our Community Conservation Project, I have given our slide show, *The Dollars and Sense of Open Space*, over 70 times all around the state. I have learned from talking with more than 1700 people who have come to these shows, that towns and community groups are eager to protect remaining open lands and are willing to channel needed development to suitable locations, but often lack sufficient funds to undertake important projects.

A number of the presentations have been co-sponsored by Planning Boards, Conservation Commissions and Historical Associations, indicating that people in towns are increasingly aware of the connection between landscape and historical buildings/land use. As I often remind people during the slide show, any time an existing building can reused instead of a new one being built, another piece of wildlife habitat can be conserved.

This expressed need for additional funding for local projects leads us to support the establishment of the New Hampshire Land and Community Heritage Investment Program. As a group who participate in and value the opportunity for such traditional uses of natural resources as hunting and angling, we are particularly pleased that under the new program, public access for recreational purposes will be allowed on land protected with public money.

We have reported on the work of the NHLCH Commission and the need for a permanent program to protect New Hampshire's resources in several issues of our newspaper, *New Hampshire Wildlife.* A facsimile of a recent article is attached for your information.

The New Hampshire Wildlife Federation is 7000-member organization representing outdoor recreation and conservation enthusiasts, including hunters, anglers, trappers, photographers and canoeists. The organization has been in existence since 1933. Our mission is to advocate for the protection and promotion of the traditional resource uses of hunting, fishing and trapping and for the conservation of fish and wildlife habitat. We have a long history of working to conserve habitat for wildlife-based outdoor recreation activities.

The New Hampshire Land and Community Heritage Investment Program is a needed and important tool in continuing efforts to preserve wildlife habitat and other important elements that define New Hampshire's very special quality of life.

We urge you to pass SB 401.

WANT TO SEE AND HUNT WILDLIFE IN "THE NEW MILLENNIUM"?

LAND AND COMMUNITY HERITAGE PROGRAM CAN HELP

by
Dijit Taylor
NHWF Special Projects Coordinator

It's a familiar scene....you and a buddy are packing up the truck for a fall hunting trip. Everything is going great. The gear and the lunches are packed and ready. The dogs are eager to go. You have a thermos of hot coffee to share as you drive. On the way to your favorite hunting spot, which is more than a few miles away, you and your buddy get to talking about the old days.

"Hey bud" you say lightly, "remember when we were kids and we could just walk down the road and hunt that beautiful spot by Farmer Howard's fields?"

"Yeah," Bud responds, "those were good times, weren't they. Speaking of Farmer Howard's fields, have you seen those new houses that are being built in there this year?"

You reply, "My kid came home and looked at those fancy new houses, and said some folks are calling that kind of place a 'trophy home.' It sure was nice when we could hunt right around home. Not that - knock on wood - there is anything wrong with the places we go now."

"Yeah," sighs Bud, "I wonder where our grand kids will be able to find a place to hunt or fish?"

If you are worried about this, too, here is something simple you can do to help: Fill out and return the card printed at the end of this article. Voice your support for a permanent statewide program for voluntary conservation of New Hampshire's natural resources.

What is this all about?

As we have reported previously in *New Hampshire Wildlife* (Nov/Dec '98, Jan/Feb '99), NHWF has long been active in the effort to establish a permanent program to protect the resources of the state. Our slide presentation, *The Dollars and Sense of Open Space*, continues to encourage communities to consider the value of open space to the community. You probably know from your own experience that we are losing special places for hunting, fishing and other outdoor recreation. In fact, New Hampshire is the fastest growing state in the Northeast, and we are losing about an acre of land per new resident per year. About 15,000 acres a year are converted from farms, forest and wildlife habitat to more developed uses and the population is growing at about 13,000 people a year.

At the same time, new studies show what residents have felt for a long time - our special places, our unique mix of open spaces and historic places, are really important to us. Not only do they define our "quality of life" (sometimes called the New Hampshire advantage), but they are also a measurable economic asset to the state. Twenty-five percent of our state's economy, depends directly on New Hampshire's spectacular open spaces to support forestry, second homes, outdoor recreation and tourism, and agriculture. That $8 billion a year is a lot of money!

Recognizing the importance and the vulnerability of special natural and cultural resources, the governor and legislature created the New Hampshire Land and Community Heritage Commission in July 1998, to explore the threats and to design a program to protect these places. NHWF Board member and NWF Representative John Monson served as the able and articulate representative of recreation interests on the Commission. The Commission's final report, scheduled for release in November 1999, recommends creation of a permanent grant program to help conserve the special places which define our communities.

The Land and Community Heritage Program is envisioned as a public/private partnership, using public funds and private talents to identify, select, and protect resources. In addition to protecting significant lands (and keeping them open for recreation), grant money from the program will be used to protect historic and cultural features, places and structures. Projects will be selected by a competitive application process that will consider imminence of threat, uniqueness of resource, proximity to other conserved resources, strength of local and private support, and other criteria. Participation in the projects will be voluntary, and applicants (communities or nonprofit groups) would need to contribute 40% of the value of the project.

New Hampshire Wildlife Federation is an active partner in Citizens for New Hampshire Land and Community Heritage, a coalition of more than 80 conservation, historic preservation, business, industry, and tourism organizations, which is helping to promote this idea to the public and to legislators. Legislation in the 2000 session will seek to establish the beginnings of the needed program to protect New Hampshire's Land and Community Heritage. If you want to help with that effort, the easiest thing you can do is fill out and return the pledge card. Citizens will use the cards to show the legislature that there is broad public support for this program.

Back to you and Bud on the way hunting:

"I don't know where the grand kids will hunt, Bud," you say, "Makes me feel kinda old to think of the problems they will face in their lives! Wish I could do something to make their lives a little easier."

Bud mumbles, "I think I saw something about that in the *New Hampshire Wildlife* newspaper."

"Say what?" you ask "*New Hampshire Wildlife* doesn't usually make me feel old. It usually makes me feel happy and well informed."

"Naw" says Bud, "there was something you could do to help save land for the grand kids. What was it?" A pause while Bud enjoys a sip of the still-hot coffee. "Oh yeah, there was a coupon-like thing to cut out and send in, telling somebody that putting some money into saving our special places is a good idea."

"Well, I usually save my newspaper for kindling for the stove, and you know I'd rather be cleaning my guns or tidying up my tackle than writing to anyone," you say, "but that sounds pretty easy. I think I'll find that and send it right in, as soon as we get back home tonight."

For more information about Citizens for New Hampshire Land and Community Heritage, the Land and Community Heritage Program, or what else you can do, contact NHWF Special Projects Coordinator Dijit Taylor at 224-5953, nhwf@aol.com, or Brian Hart at Citizens, 230-9729, bhart@igc.org.

CLIP OUT AND RETURN THIS CARD TO:

My State Representative, State Senator and Governor Shaheen
c/o Citizens for NH Land and Community Heritage
PO Box 1566
Concord, NH 03302-1566

✓ **YES,** I support a permanent, public-private partnership for the voluntary conservation of New Hampshire's natural, cultural, and historic resources. I believe my state government should help fund local efforts to conserve open space and historic sites. I ask *Citizens for New Hampshire Land and Community Heritage* to convey my support for the legislative initiative necessary to implement this idea to my state representative, state senator and the Governor.

SIGNATURE: _____

Name: _____

Address: _____

_____

Email: _____ **Phone:** _____

Additional comments: _____

_____

Attachment D

MASTER PLAN



For The Unincorporated Places In Coös County

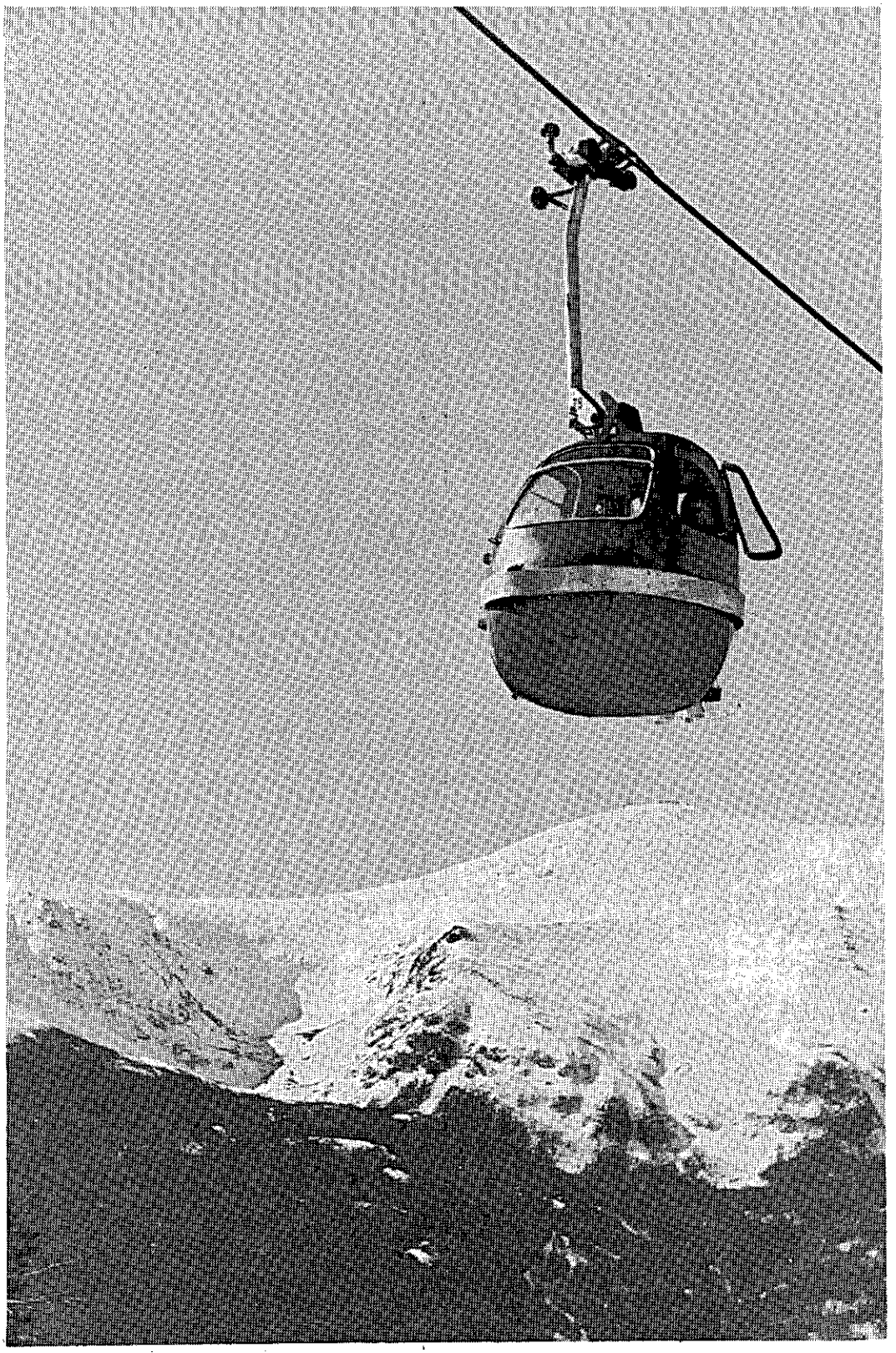
Adopted October 17, 1989
Odell, New Hampshire

MASTER PLAN

For The Unincorporated Places In Coös County

Produced by the
Office of the County Commissioners
in cooperation with the
N. H. Office of State Planning

Designed by Jordan Associates, Colebrook, New Hampshire



(Photo by Dick Hamilton)

North America's first gondola lift opened at Wildcat Mountain in Pinkham Notch in 1957. Mount Washington and the vast snow bowl of Tuckerman Ravine loom in the background.

LIST OF UNINCORPORATED PLACES

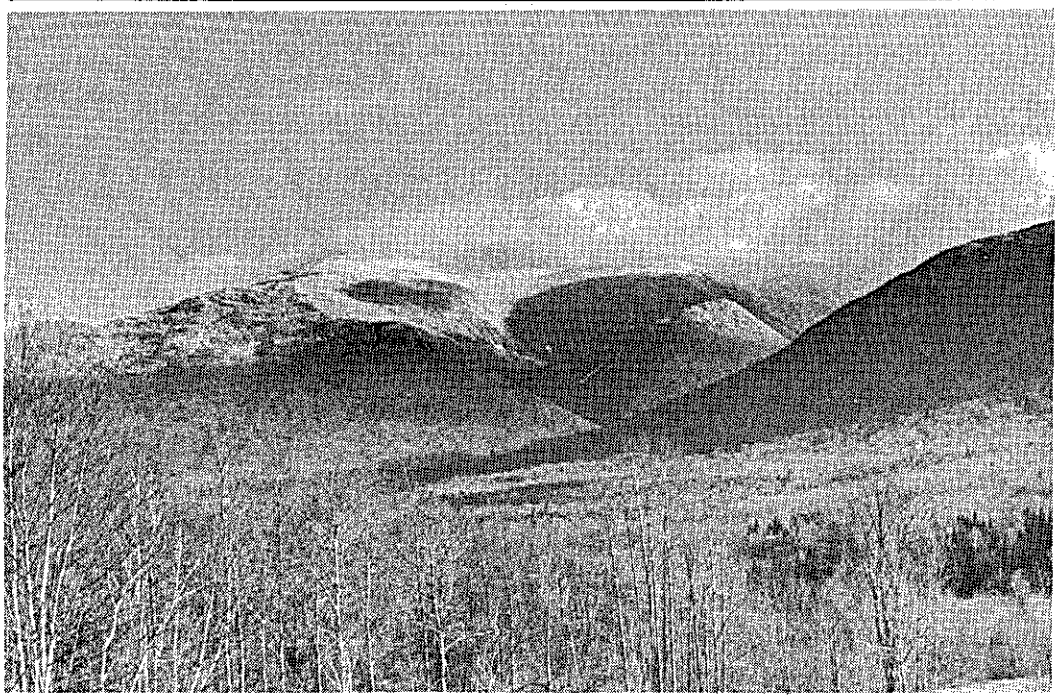
Atkinson and Gilmanton Academy Grant
Bean's Grant
Bean's Purchase
Cambridge
Chandler's Purchase
Crawford's Purchase
Cutt's Grant
Dix's Grant
Dixville
Erving's Grant
Green's Grant
Hadley's Purchase
Kilkenny
Low and Burbank's Grant
Martin's Location
Millsfield
Odell
Pinkham's Grant
Sargent's Purchase
Second College Grant
Success
Thompson and Meserve Purchase
Wentworth Location

PLANNING BOARD MEMBERS

Steve Barba
Paul Doherty
Everett Frizzell
Frederick King
Beaton Marsh
Richard Pinette
Robert Shaw
Mary Sloat
Brad Wyman

ALTERNATES

Richard Adams
Daniel Bennett
Suzanne Collins
Harold Nelson
Jean Nelson



(Charles J. Jordan Photo)

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ACKNOWLEDGEMENT

This Master Plan for the Unincorporated Places in Coos County was prepared by the Office of the Coos County Commissioners in cooperation with the New Hampshire Office of State Planning.

A thank you is extended to Ms. Fay Rubin, Program Manager, Complex Systems Research Center, University of New Hampshire, Durham, and James McLaughlin of the Office of State Planning for the development of mapping.

A special acknowledgement goes to Frederick W. Todd, Acting Director of the State of Maine Land Use Regulation Commission, Augusta, Maine for his assistance and that of his staff.

OFFICE OF THE COOS COUNTY COMMISSIONERS

Frederick W. King, *Superintendent/Coordinator*
Suzanne Collins, *Comptroller*
Blandine Shallow, *Technical Assistant*

OFFICE OF STATE PLANNING

Jeff Taylor, *Director*
David G. Scott, *Director of Policy Planning and Administration*

Michael Blake, *Senior Planner, Project Director*
Marcia Keller, *Principal Planner*
Paul Landry, *Assistant Planner*
Denise Adjutant, *Word Processing*



THE STORY OF THIS PLAN

GUIDING GROWTH

Each day people make decisions to change -- housing is constructed, new industry moves in, businesses relocate or a ski area is planned. This is GROWTH. Properly guided, growth can mean more progress and an increasingly better life for all of us.

At the same time, economic opportunities may wither. Population growth may exceed the growth of necessary services. Traffic congestion may bring a cry for a better highway network. Areas once our pride will begin to show signs of blight, yielding less in taxes but requiring more in public services. Coos County's Unincorporated Places cannot afford the waste and cost of unplanned growth.

Through the years, many people have wondered if Coos County can avoid the mistakes of others by anticipating and providing for future growth.

This document, the Master Plan for Unincorporated Places in Coos County, is an attempt to define and address the problems and opportunities that the Unincorporated Places face. It builds on several prior planning documents. The first of these, a Comprehensive Plan for Coos County, was prepared in 1965. In 1973 the North Country Council, a regional planning agency, was established. Planning reports of special relevance to this plan prepared by the North Country Council include the Land Use Elements of 1978 and 1988.

The White Mountain National Forest, U.S. Forest Service and USDA in 1986 and the Appalachian Mountain Club in 1988 have prepared additional documents.

WHAT IS THE MASTER PLAN?

This plan is a statement of goals and policies and a guide for the future. It defines a role for the Unincorporated Places as part of a larger context and identifies several basic planning tools. It establishes long term goals and policies with regard to the ecology and multiple use of human and natural resources. In short, the plan provides a framework for growth and a basis for protecting natural resources and supplying public services.

The plan starts with the Unincorporated Places as they are today and keeps all that is good. It works towards the gradual elimination of past errors and avoidance of mistakes.

WHAT THIS PLAN DOES NOT DO

This plan does not set a precise timetable for, nor dictate where elements shall be placed on the land, but it does provide for their general location by performance standards when they are needed. The plan does not address strictly local issues but deals only with matters of Countywide or intermunicipal importance. The plan is not fixed or rigid -- it will require periodic review and amendment.

THIS PLAN HAS A HERITAGE

This plan reflects on past planning efforts, which are noted in the bibliography. What is important here is not so much that plans were prepared, but that the County has a rich tradition of self-study and long range proposals to guide future development.

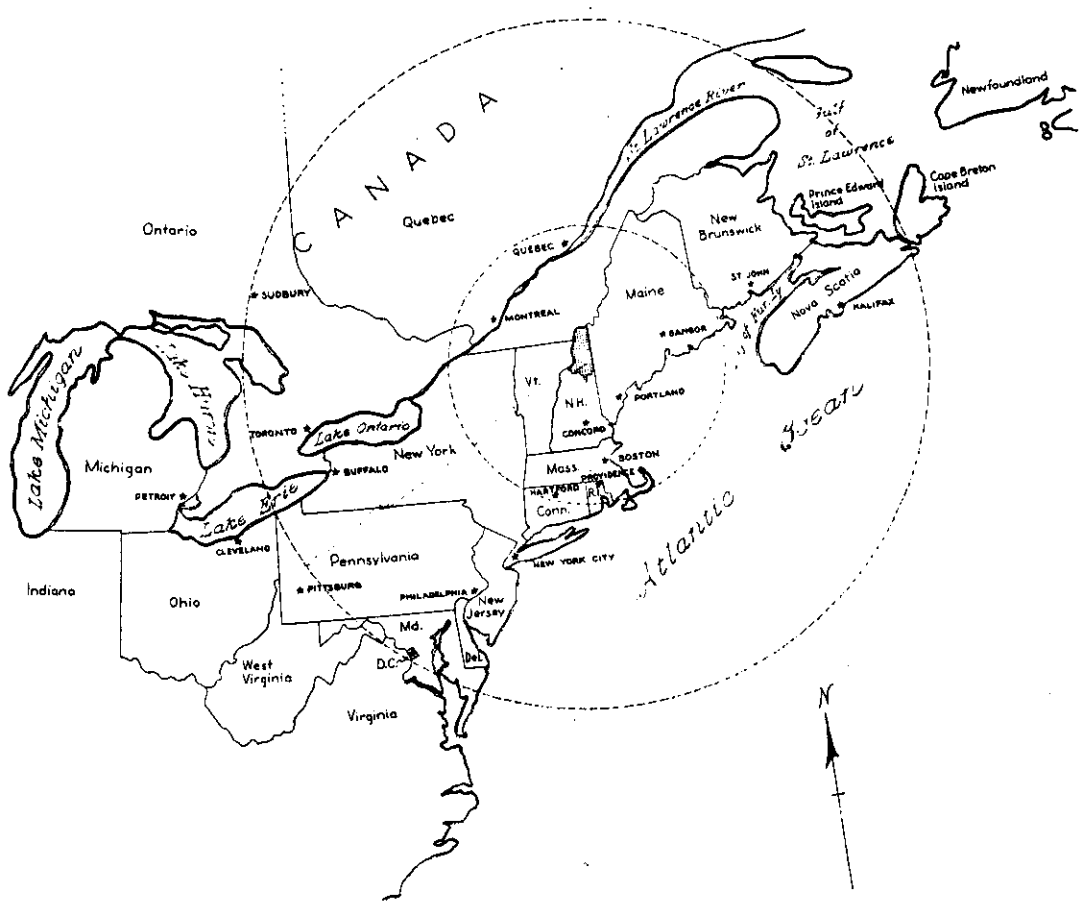
THIS PLAN MUST BE IMPLEMENTED BY ACTION

Plans are not helpful unless they are used. Implementing this plan will require the cooperation of many public agencies and private citizens. The Coos County Planning Board [the Planning Board] is responsible for implementing the land use regulations that govern the Unincorporated Places and for stimulating interest in new projects generally. But it alone cannot ensure the realization of the planning goals outlined in this plan.

REGIONAL LOCATION

Although it is New Hampshire's northernmost county, Coos County is readily accessible by car, bus, and plane, as the Geographical Location Map and Regional Highways Map illustrate.

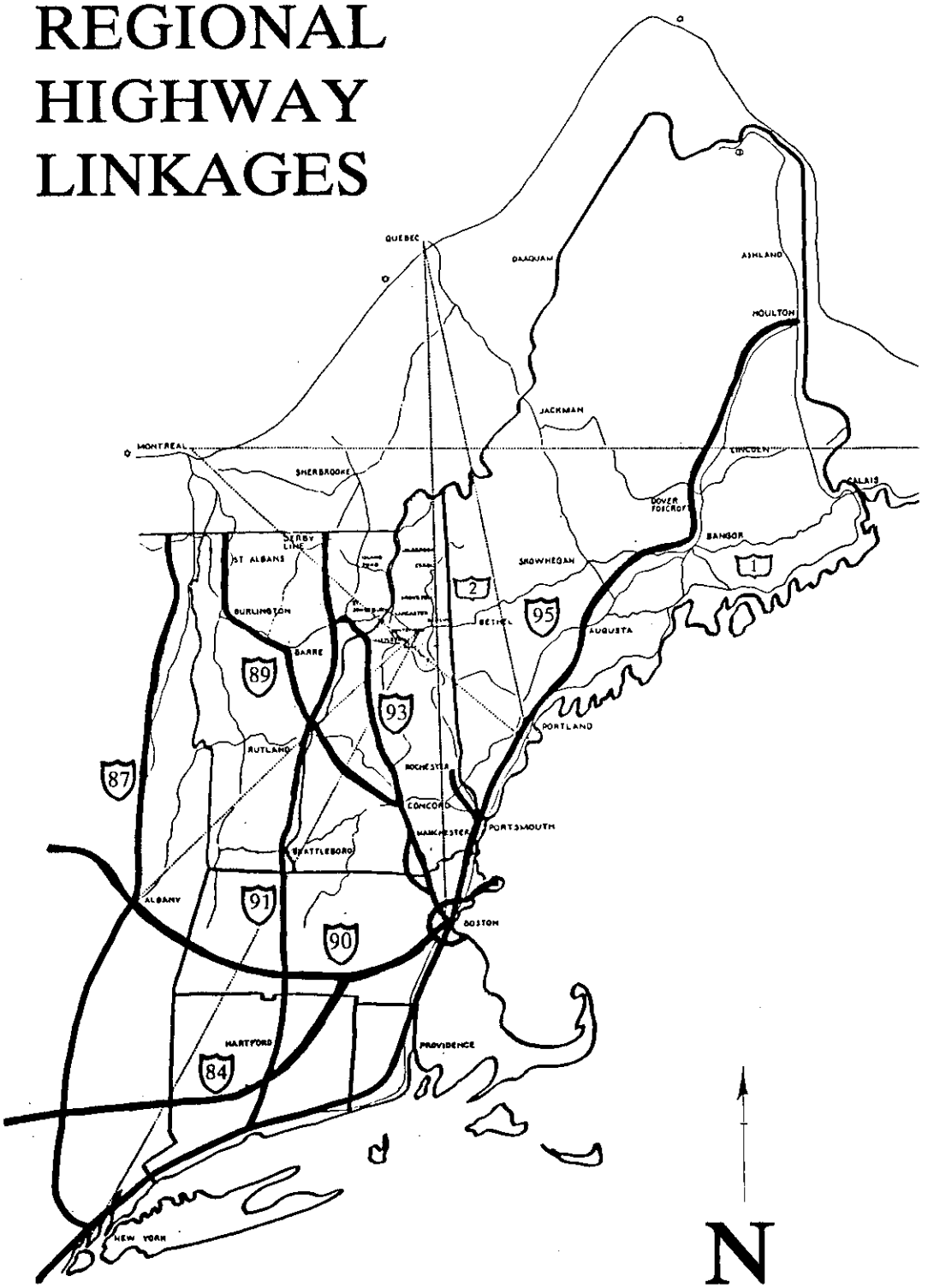
Berlin, Colebrook, Gorham, Lancaster, and Northumberland (Groveton) are the principal economic centers for the region and provide services for all the Unincorporated Places in Coos County.



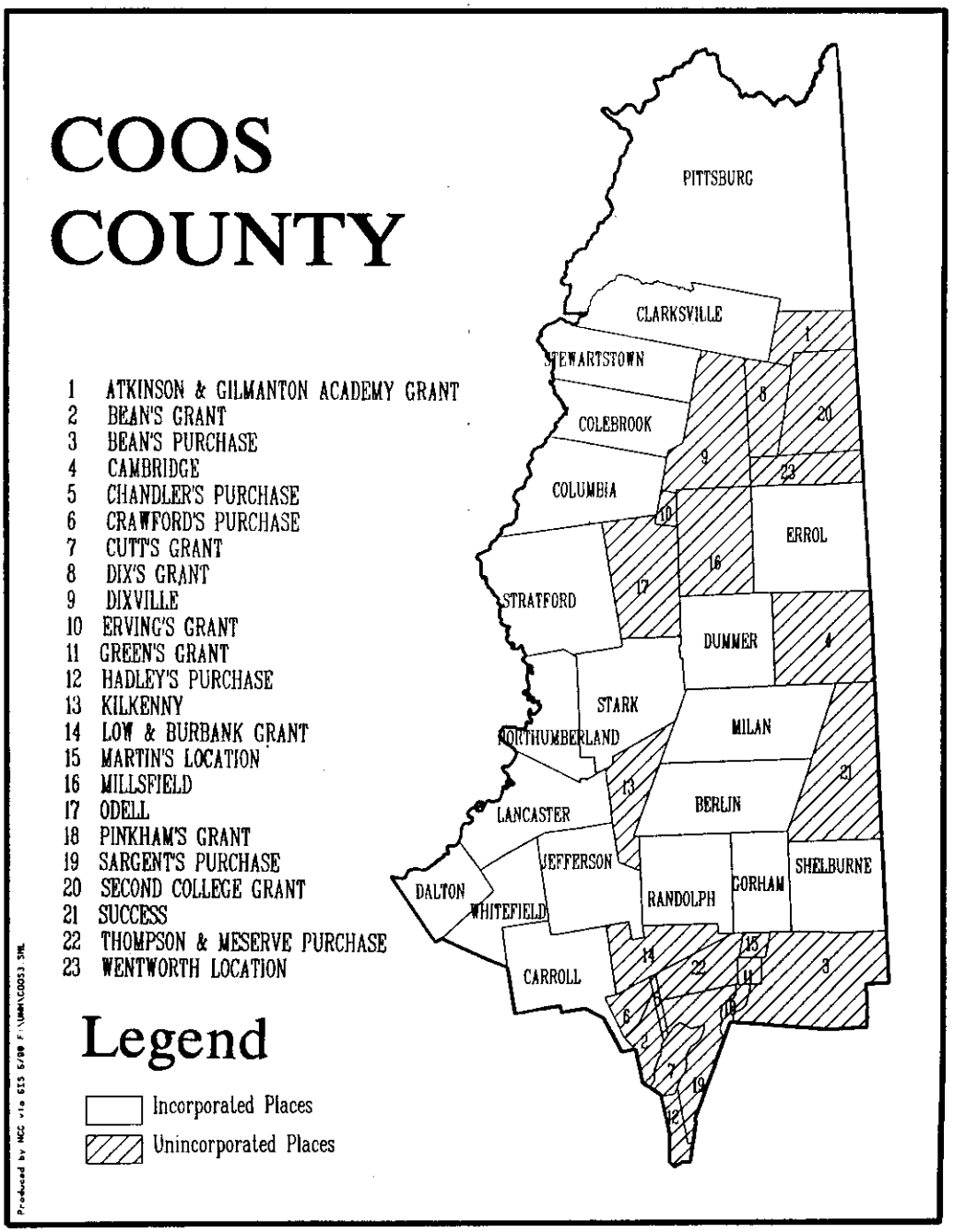
GEOGRAPHICAL LOCATION

COOS COUNTY R.A.D. COMMITTEE
JAMES W. SEWALL COMPANY, OLD TOWN, MAINE

REGIONAL HIGHWAY LINKAGES



As the following map illustrates, there are twenty-three Unincorporated Places in Coos County.



Map produced by North Country Council via GIS

SUMMARY OF CITIES, TOWNS, AND UNINCORPORATED PLACES

BY COUNTIES

COUNTY	CITIES	TOWNS	UNINCORPORATED PLACES
Belknap	1	10	---
Carroll	---	18	1
Cheshire	1	22	---
Coos	1	38	23
Grafton	1	29	1
Hillsborough	2	29	---
Merrimack	2	25	---
Rockingham	1	36	---
Strafford	3	10	---
Sullivan	1	14	---
	13	224	25

Source: Communities, Settlements, Neighborhood Centers in New Hampshire - 1937 and 1977 and the NH Secretary of State.

INTRODUCTION

The twenty-three Unincorporated Places comprise approximately 30 percent of the total land area in Coos County, some 360,000 acres. This vast area contains some of New Hampshire's most spectacular mountains, forests, rivers, streams, lakes, and ponds of all sizes. The woods and waterways abound with wildlife and fish and for generations have been popular hunting and fishing grounds, as well as the state's best sites for back country hiking and white water boating.

Most recently, skiing, snowmobiling, and other winter activities have made this the place tourists come for year-round recreation. Today, canoeists, hunters, fishermen, hikers, and campers view the Unincorporated Places as a unique domain, where they can enjoy experiences in the out-of-doors not available anywhere else in New Hampshire.

Jobs in Coos County are heavily dependent on the land's natural resources. The paper mills, sawlog industry, agriculture, and tourism provide employment for thousands of the County's citizens. The forests are today, and always have been, the raw resource on which many of these jobs depend. Most of the Unincorporated Places have been cut over many times. Yet logging practices have changed, and this same activity today may affect the landscape and environment in new ways. From wintertime logging with horses and springtime log drives down the Androscoggin to waiting mills, technology has advanced to the use of large, mechanized equipment that can greatly increase production but has the po-



(Photo courtesy: Champion)

Coos County forests provide the timber industry with a rich harvest.

tential for considerably more environmental damage. Access roads capable of accommodating large trailer trucks have opened large areas for uses other than forestry and logging, including recreation and development.

Change also has come from pressure originating from outside the County. Beginning in the late 1960s, people with leisure time and financial resources from southern New Hampshire and elsewhere in New England began acquiring residential and second home property. At the same time, the demand for recreational space has increased. As land values increase, ownership patterns change.

The question of land use controls in Unincorporated Places, of little concern in the past, is becoming more pressing. There is growing concern that without adequate planning and regulation of development, the unique character of the Unincorporated Places may be radically and permanently changed. The forests and waterways that are so much a part of the County's heritage need to be protected from undisciplined development.

At the same time, it is essential that the economic viability of the County's employers be maintained. The goal of the Planning Board is to assure that there is a balance between the need for ecologically sound planning decisions and a continuing recognition that a primary objective must be to provide for multiple use of the natural resources so important to the economy of the County and the state as a whole.

JURISDICTION

PLANNING

Under provisions of RSA 28: 7-c, adopted by the New Hampshire legislature in 1988, the Coos County Commissioners and the County Convention are responsible for the development of planning, zoning, subdivision, and related land use regulations for the unincorporated places in the County. In accordance with the provisions of Title LXIV entitled Planning and Zoning, RSA Chapters 672-677, a County Planning Board, hereafter referred to as the Board or Planning Board, was created in 1988. To the extent practical, the Board will operate under the authority granted by local land use boards under RSA 672-77.

HUMAN SERVICES

Human services are not in great demand simply because the total year-round population is approximately 100 people. When services are required, it is the County Commissioners who are responsible for securing whatever is needed.

They provide for education by contracting with school districts to take students from Unincorporated Places on a tuition basis, and, if necessary, arrange for room and board and transportation. Similarly, the Coos Commissioners contract with abutting towns for other services. Property owners in the Unincorporated Places where the services are delivered pay for them.

EXISTING DATA BASE AND RESOURCES

HISTORY

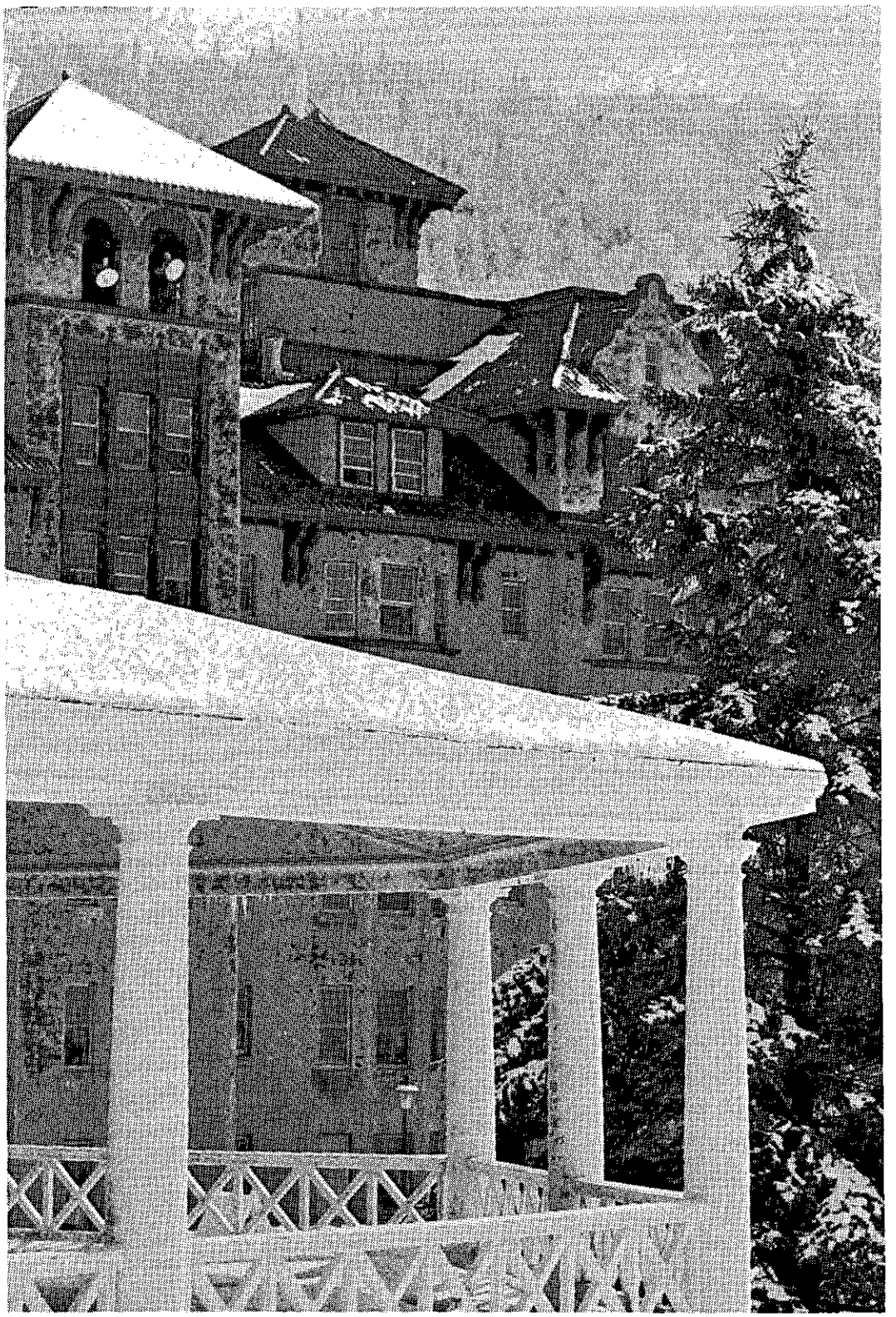
The Comprehensive Plan for Coos County prepared in 1965 discusses the history of Coos County and the Unincorporated Places in detail. Included in that plan are maps and charts on the population and economy, physiography and climate, water resources, forest resources, agriculture, mineral potential, transportation, housing conditions, public facilities, recreation and land use through the early 1960s. Much of the history focuses on the Unincorporated Places, some of which were important settlements dating back to the 17th century. Subsequent plans (see bibliography) provide updated information on recent developments.

POPULATION

The 1965 Comprehensive Plan for Coos County provided an extensive history of the population and growth trends to that time in Coos County. The North Country Council also has provided demographic analysis. Since 1967, the Office of State Planning has been responsible for compiling annual resident population figures as of June 30 on a statewide basis, which it must certify to the state treasurer on or before August 19 of each year.

For the period ending June 30, 1988, the following population estimates were established for the various Unincorporated Places in Coos County.

	1988	1960
1. Cambridge	7	--
2. Dixville	40	18
3. Green's Grant	2	2
4. Martin's Location	0	2
5. Millsfield	11	7
6. Pinkham's Grant	7	15
7. Sargent's Purchase	0	17
8. Second College Grant	0	6
9. Thompson & Meserve's Purchase	0	1
10. Wentworth Location	30	58
TOTAL	97	126



(Photo courtesy: Balsams Grand Resort Hotel)

The magnificent Balsams Grand Resort Hotel attracts visitors from all over the world to Dixville Notch.

A decrease of 29 people over 28 years is not significant. The Planning Board should, however, monitor population changes and be prepared to cope with the consequences of a growing resident population.

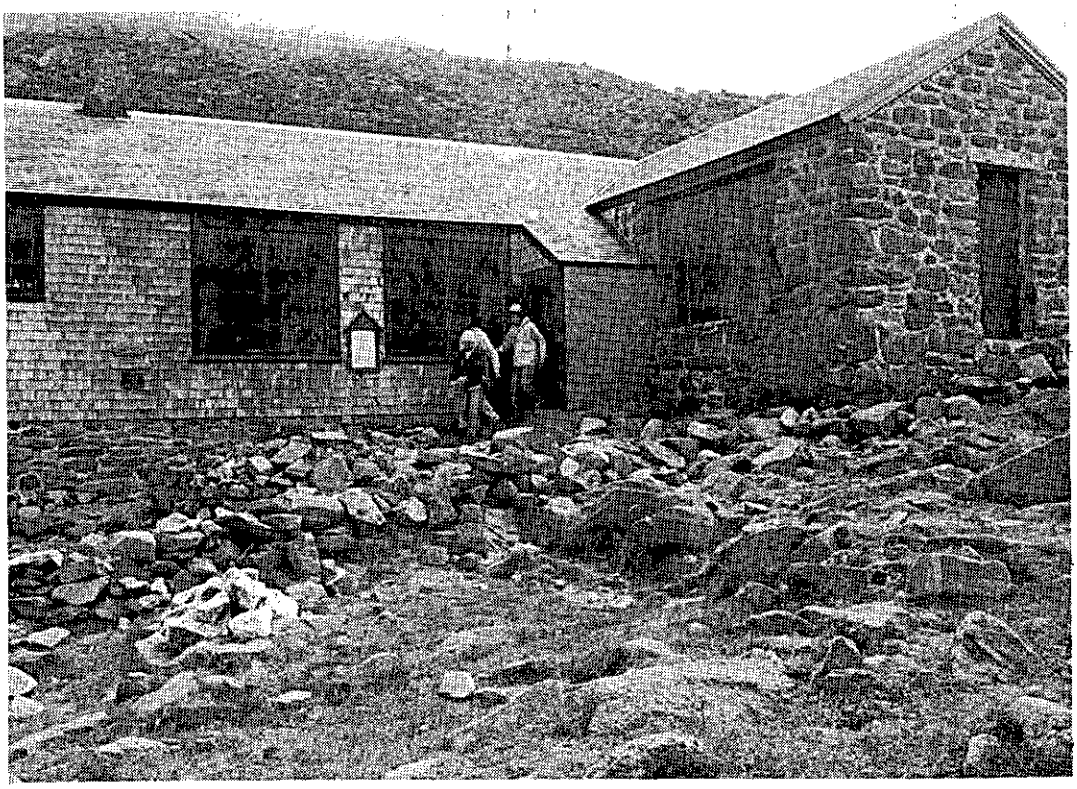
Currently Dixville is the most populated and developed of the Unincorporated Places. Cambridge, Dixville, Green's Grant, Success, Millsfield, Pinkham's Grant, and Wentworth Location are the settled areas.

With such a small base for these areas, it is unreasonable to project future growth. A single development proposal could invalidate the best attempt at statistical analysis.

NATURAL RESOURCES

River valleys, streams, lakes, ponds and mountains represent the Unincorporated Places' major physiographic features. The Unincorporated Places comprise the largest undeveloped region in New Hampshire. This area is one of few areas in New England where conservation of large acreages of woodland is still possible.

The single most outstanding feature of these northern lands is the thousands of acres of forests. The dominant forest type is northern hardwoods, including maple, beech and birch. Spruce and fir make up the second most abundant type. The forest is the County's most valuable economic resource and supplies the raw material for thousands of jobs. These same forests also are the base for recreational pursuits.



(Photo by Lou Lainey, courtesy: Appalachian Mountain Club)

Weary hikers can refresh themselves or spend the night at Madison Hut, just one of the many accomodations high in the White Mountains.

One major drainage basin, the Androscoggin, originates in the Unincorporated Places.

History, land ownership patterns, remote location, and a relatively harsh climate all have contributed to the lack of past development. These factors, plus the greatest deterrent to development, the management of forests for timber production, have allowed the Unincorporated Places to retain their undeveloped character and natural resource base.

LAND OWNERSHIP

Land management companies, pulp and paper interests, and Dartmouth College own a majority of the private lands in the Unincorporated Places. Public ownership, plus the Dartmouth holdings, totals 180,895 acres, nearly half the acreage of the Unincorporated Places. Except for Second College Grant, these lands are in the National Forest (managed by the U.S. Forest Service) and the State Park system (managed by the Division of Parks).

Of the twenty-three Unincorporated Places, eight are totally owned by the United States and managed by the White Mountain National Forest: Bean's Grant, Bean's Purchase, Chandler's Purchase, Cutt's Grant, Hadley's Purchase, Kilkenney, Low and Burbank's Grant, and Martin's Location. Dartmouth College wholly owns the Second College Grant. Other places also have extensive public holdings.

LAND CAPABILITIES

As the North Country Council's Land Use Plan, July 1988, points out, topography, soils, and water resources are critical to development potential in the northern area of the state. All three may pose severe limitations to development. The U.S. Soil Conservation Service has prepared technical reports on soil and slope characteristics as they relate to development potential and will provide technical assistance to the Planning Board.

GENERAL TOPOGRAPHY, SOIL ASSOCIATIONS

The U.S. Soil Conservation Service (SCS) in the Department of Agriculture, has prepared for each county in the state a Soil Survey Report. The Soil Survey Report contains maps and information, both general and specific, about soils, crops, and agriculture. Prepared for general use, these surveys are designed to meet the needs of a wide variety of readers. Copies of these and related documents, as well as technical assistance, are available from the SCS District Conservationist in Lancaster.

In addition to showing the extent and distribution of soil associations, the general map also shows temperature zones. The coldest zone generally occurs on elevations above 2,500 feet. The warmest soil temperatures occur in the southeastern quadrant of the state and along the Connecticut River Valley.

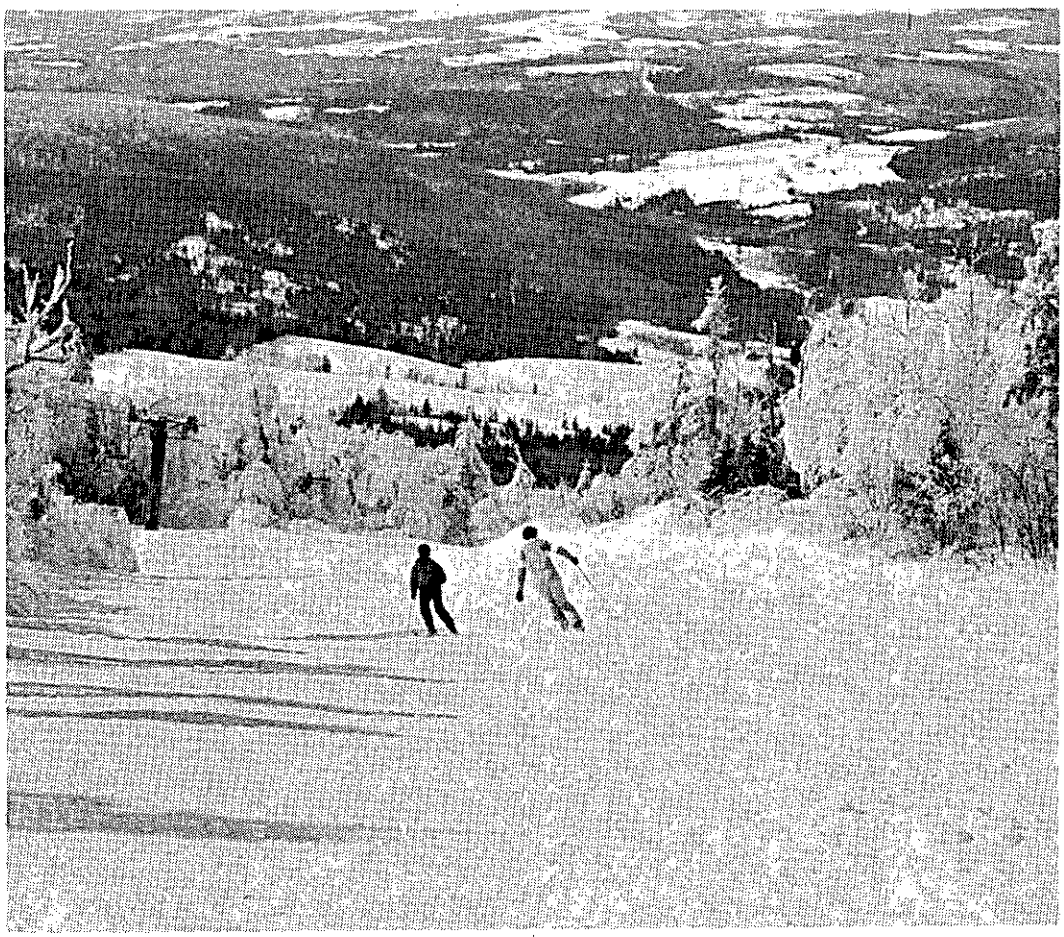
When reviewing development proposals, the Planning Board may contact the District Conservationist for assistance in analyzing soil capabilities and project impacts, whether for subdivision, site plan, or single lot development. The Board should make use of the planning maps prepared in conjunction with this plan. Site visits by the Board enhance the review and should be regularly scheduled as part of the review process.

ECONOMY/HOUSING

The Office of State Planning's population projections for the North Country in general reflect a lagging status, relative to both the state and the nation, to the year 2010. The several growth centers, Berlin, Colebrook, Gorham, and Lancaster, will continue to provide most of the essentials for a strong economic base, as well as the services required by residents of the Unincorporated Places.

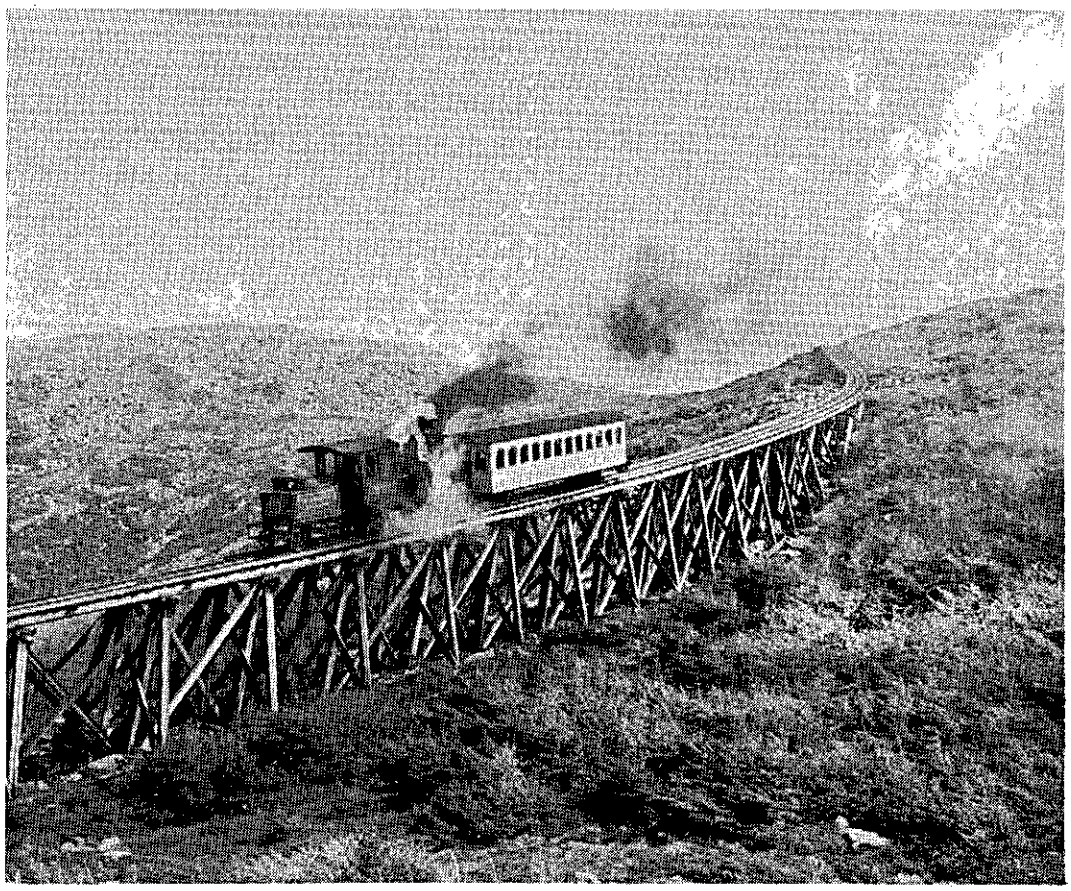
Tourism in the area will continue to expand throughout the four seasons. The fact that people visit the area, like it, purchase goods and services, and stay, means growth. Growth may put unwanted pressure on the limited amount of the land available for development in the Unincorporated Places.

In its 1988 Plan Update, the North Country Council addressed economic issues such as income, labor, wages, poverty levels, employment mix, seasonality, underemployment, agriculture, and the tax base.



(Photo courtesy: Wilderness Ski Area)

Ski enthusiasts flock to Coos County slopes for fun and excitement.



(Photo courtesy: Warren Bartlett)

The coal-fired Cog Railway has been shuttling people up and down Mount Washington for over 120 years.

As economic development opportunities in the Unincorporated Places are recognized and promoted, the need for land use regulation will become apparent. Regulations will help to ensure that economic activities are harmonious and consistent with the Master Plan.

A related economic issue, housing, also will need to be addressed. Affordable housing remains unavailable to many people. At the same time, increased incomes and more leisure time are providing many people the means and opportunity to settle in the area.

PUBLIC FACILITIES

Public or community facilities are public facilities which, however, may or may not be publicly operated. Included in this list are schools, libraries, water and sewer systems, solid and hazardous waste facilities, hospitals, churches, parks and playgrounds, police and fire protection, transportation systems, and health and welfare facilities.

In the Unincorporated Places with today's population of 97, the immediate need for most of the above facilities is slight. Nevertheless, area families with school age children are slowly impacting on other services such as police, fire, solid waste, and transportation. As residential or nonresidential growth occurs, the Unincorporated Places will need to address their public facility needs. Because most services to Unincorporated Places are now contractual, these

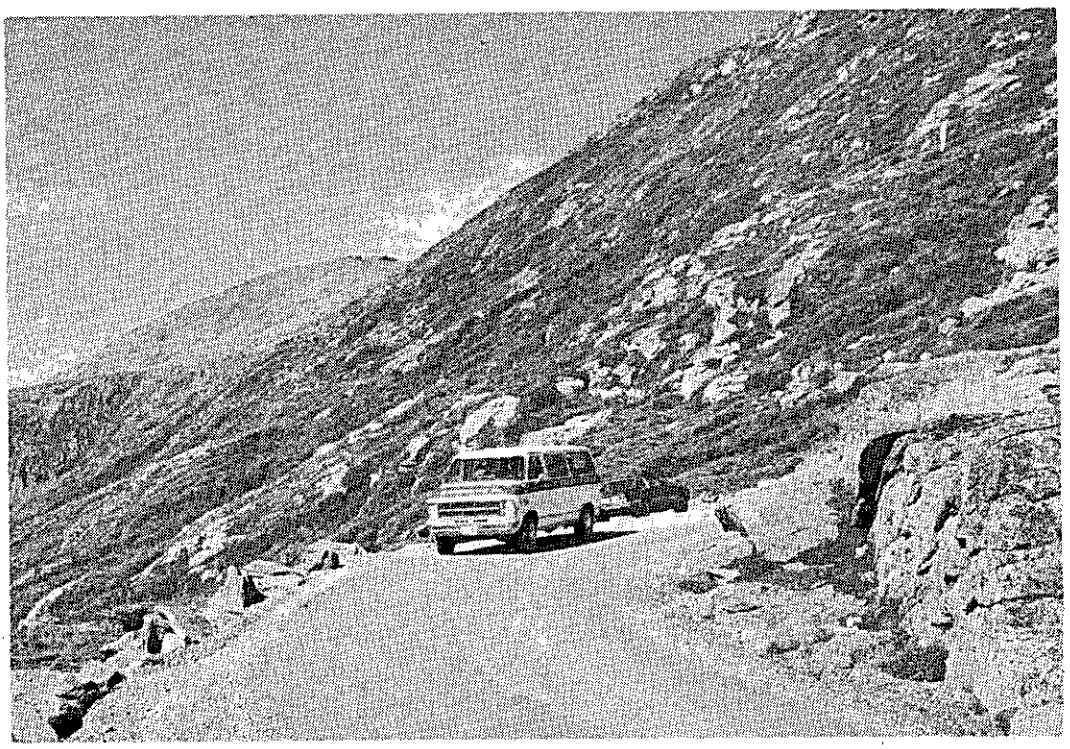
impacts are likely to affect adjacent communities as well as the Unincorporated Places, which must pay for them. The County should consider these issues early on as development takes place and must continue to cooperate fully with its abutting neighbors in addressing these issues of growth.

TRANSPORTATION

Again, as with other elements of this Master Plan, we acknowledge the previous efforts of the North Country Council, especially the Land Use Plan Update of July 1988. The Transportation Map in that report accurately reflects the variety of transportation modes that serve the area.

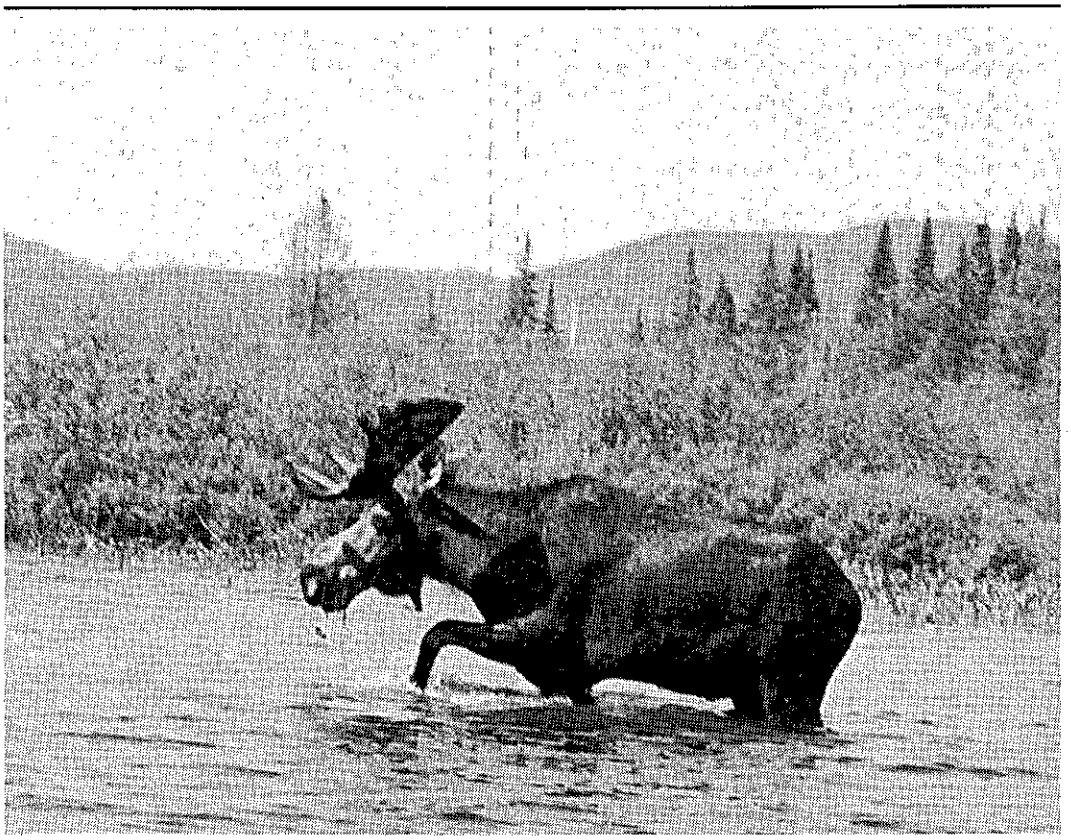
Roads throughout the North Country are continually being upgraded. In some cases, they are redesigned and relocated. Access to existing roads throughout the Unincorporated Places should be carefully evaluated and coordinated with the state Department of Transportation. Under provisions of N.H. RSA 236:13, planning boards are authorized to regulate the access onto local roads.

If the County approves and accepts new roads, the Unincorporated Places in which the new roads are located will be responsible for their maintenance. To deal with any new roads and other costs anticipated in this Master Plan, the Unincorporated Places may need to develop a Capital Improvement Program.



(Photo by Dick Smith, courtesy: Mount Washington Auto Road)

The Mount Washington Auto Road rises to the summit of the Northeast's highest peak.



(Photo courtesy: Warren Bartlett)

The stately bull moose is the largest of Coos County residents.

GOALS AND POLICIES

The Planning Board's jurisdiction, Coos County's Unincorporated Places, are important resources to both public and private interests. They provide the raw resources that fuel the County's economy and at the same time provide recreational opportunities and back country experiences that are unavailable elsewhere in New Hampshire. The Board is responsible for planning and guiding land use activities to assure the continued proper use of these resources.

The Board also recognizes that a primary consideration of any plan for these lands must include the desires and needs of the citizens of the County. Nowhere else in New Hampshire is there a more independent and enterprising population. That free spirit and entrepreneurial nature of natives and newcomers alike must be preserved.

In carrying out its mandates, the Board must consider both conservation and development concerns. Its decisions will influence the present and future. It must balance the needs of the private landowner and the public and maintain the balance between traditional resource based uses of the forests and reasonable, new economic growth.

In fulfilling the statutory mandates under which it is established, the Board has adopted a set of goals and policies which serve as a guide to the Board in making decisions. GOALS set forth

long range, broad directives for specific policies and actions. POLICIES are specific statements of intent. Following are the goals and policies that the Board has adopted for Unincorporated Places.

I. HUMAN RESOURCES

Goal: Conserve and maintain an atmosphere that will enable the citizenry of the area to fulfill their traditional and unique lifestyles.

Policies:

1. Encourage employment opportunities in existing industries and promote new opportunities that are compatible with the environmental goals of this plan.

2. Encourage citizen participation in the development of the Board's goals and policies to assure general acceptance by the residents of the area, as well as businesses and landowners.

3. Recognize that all of the human resource needs must be addressed if the Board's decisions are to be beneficial to residents, visitors, landowners and the area at large.

II. NATURAL RESOURCES

A. Forest Resources

Goal: Conserve, protect and enhance the forest resources which are essential to the economy of the state as well as to the County.

Policies:

1. Discourage development that will interfere unreasonably with continued timber and wood fiber production.

2. Protect areas identified as environmentally sensitive.

3. Support state agency jurisdiction over forest harvesting practices and discourage multi-jurisdictional authorities. Recognize that standards must be responsive to the needs of private land management and the public need for adequate timber resources and resource protection.

4. Monitor the installation of new road networks in order to anticipate and project future growth and public access.

5. Encourage present ownership patterns and maintain private control which maintains historical character of existing forests and encourages present ownership patterns.

B. Recreation Resources

Goal: Conserve and protect the natural beauty and unspoiled qualities of the highways, waters, shorelands, mountains, plant and animal habitats, forests, scenic vistas, trails, and other natural and recreational features in order to protect and enhance their values for a range of public recreational uses.

Policies:

1. Protect remote, undeveloped and other significant recreation areas, including such areas around rivers and streams, trails, ponds and lakes, to protect their natural character for primitive recreational activities.

2. Encourage diversified, non-intensive, non-exclusive uses of recreational resources.

3. Provide opportunities for well-planned recreational developments in appropriate areas.

C. Water Resources

Goal: Preserve, protect and enhance the quality and quantity of surface and ground waters.

Policies:

1. Regulate water and land uses to reasonably avoid degradation of water quality and to ensure that human, fish, wildlife and plant habitats are not unreasonably affected.

2. Support state agency jurisdictions in matters of dredging, filling, draining and alteration or development of bottom, shoreland and wetland areas. Recognize the need to protect fish, plant and wildlife habitats. Protect groundwater tables and aquifers from pollution.

3. Conserve and protect lakes, ponds and rivers and their shorelands which provide significant public recreational opportunities.

4. Administer site development standards, including appropriate setback requirements, to protect water quality, water quantity, recreational and aesthetic values of lakes and rivers.

5. Control land uses on identified aquifers and their recharge areas, and along water bodies having the potential for water pollution problems, in order to avoid adverse effects on water quality or quantity.

D. Fisheries and Wildlife Resources

Goal: Conserve and protect the aesthetic, ecological, recreational, scientific, cultural and economic values of wildlife and fisheries resources.

Policies:

1. Support land use activities that protect habitats, including deer wintering areas, bird nesting sites, ecosystems, food sources and other life requisites for wildlife species.

2. Administer zoning and regulatory programs to protect wildlife habitat in a fashion which is balanced and reasonably considers the management needs and economic constraints of landowners.

3. Support land use activities that protect habitats for fish spawning, nursery, feeding, and other life requisites for fish species.

E. Agricultural Resources

Goal: Conserve and protect farmlands and other agricultural resources.

Policies:

1. Discourage land uses which can be destructive of prime, highly productive and other significant farmlands, and encourage agricultural management in areas currently being farmed.

2. Support agricultural practices which reduce accelerated erosion, sedimentation or pollution in order to protect soil and water resources.

F. Soil and Geological Resources

Goal: Conserve soil and geological resources by controlling erosion, by protecting areas of significant geological formations, and by allowing environmentally responsible utilization of these resources.

Policies:

1. Regulate land uses to protect areas identified as important natural geological formations.

2. Regulate land uses in areas with identified topographical or geological hazards, including areas with fragile soils, steep slopes, high elevations, or seismic faults.

3. Administer standards for structural development and other land uses based on soil suitability.

4. Support state agency jurisdictions in matters of timber harvesting, road construction, gravel extraction, stream crossing, agricultural practices and other land use activities in order to control potential causes of accelerated soil erosion.

G. Air Resources

Goal: Protect and enhance the quality of air resources throughout the County's Unincorporated Places.

Policies:

1. Support state and federal air quality standards.

2. Encourage state, federal and international initiatives directed at reducing emissions of air pollutants.

H. Scenic Resources

Goal: Protect quality, scenic character and natural values by fitting proposed land use activities harmoniously into the natural environment and by minimizing adverse aesthetic effects on existing uses, scenic beauty, and natural and cultural resources.

Policies:

1. Encourage concentrated patterns of growth to minimize impacts on natural values and scenic character.

2. Regulate land uses generally in order to protect natural aesthetic values and prevent incompatibility of land uses.

3. Protect the scenic values of shoreland, mountain, recreation and other scenic areas.

I. Energy Resources

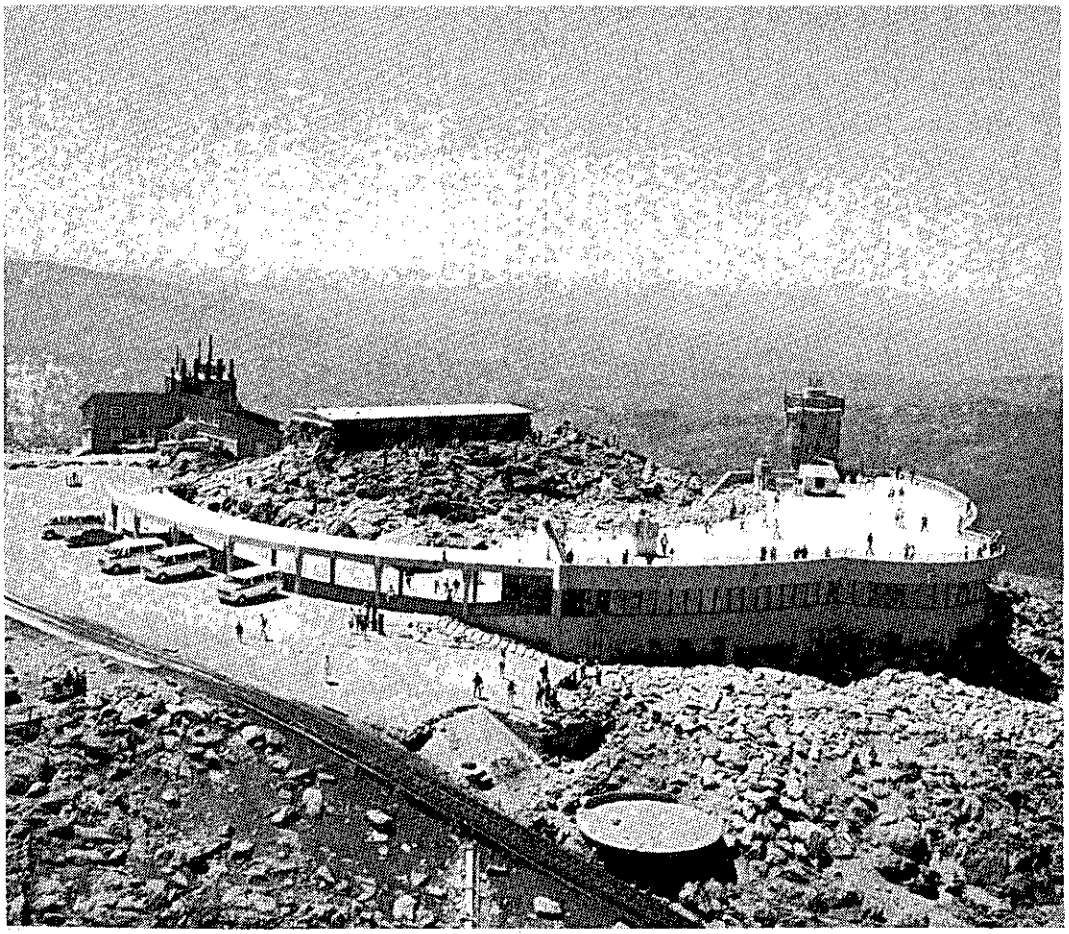
Goal: Support environmentally sound and socially beneficial utilization of indigenous energy resources.

Policies:

1. Support energy conservation and diversification.

2. Support existing state and federal jurisdiction over energy developments and related land uses in areas identified as environmentally sensitive where there are overriding, conflicting environmental and other public values requiring protection.

3. Encourage development of new, small hydropower projects and reconstruction of existing hydropower projects where these can be undertaken in an environmentally sound manner.



(Photo by Dick Smith, courtesy: Mount Washington Auto Road)

Mount Washington's famed summit houses a weather observatory, radio towers and popular visitors' center.

J. Mineral Resources

Goal: Support environmentally sound and socially beneficial utilization of mineral resources.

Policies:

1. Support commercial extraction of mineral resources where a benefit to the County and state residents has been demonstrated and the operations are sited and developed in a fashion which minimizes adverse effects on other land uses and natural resources.

2. Permit major mining developments only in areas zoned for industrial development, and provide a rezoning procedure for this purpose which broadly considers community impacts, competing uses, public values, and environmental effects.

3. Support state regulation of mining operations to minimize water, air, land, noise and

visual pollution, to assure public safety and health, and to avoid unduly adverse impacts on fisheries, wildlife, botanical, natural, historic, archaeological, recreational, and socio-economic values.

4. Require effective monitoring and reclamation of mining sites.

5. Provide for small sand and gravel extraction operations used primarily for the construction and maintenance of roads in most areas without rezoning, but subject to compliance with state standards.

6. Guide development of peatlands away from those having botanical, wildlife, fisheries, geological, water resource, recreational, scientific, cultural or other public values of overriding significance.

K. Special Resources

Goal: Protect and enhance identified features of natural, historical and cultural significance.

Policies:

1. Identify and support protection of unique, rare, endangered, threatened, unusual, representative, or critical natural or cultural resources to preserve their ecological, scientific, scenic, social or educational values.

2. Protect and conserve the special scenic, recreational, ecological, historic, archaeological and other natural and cultural resources.

III. DEVELOPMENT

Goal: Guide the location of new development in order to protect and conserve forest, recreational, plant or animal habitat and other natural resources, to ensure the compatibility of land uses with one another, and to allow for a reasonable range of development opportunities.

Policies:

1. Discourage growth which results in scattered and sprawling development patterns.

2. Require that provision be made for fitting development harmoniously into the existing natural environment.

3. Administer zoning and land use standards to guide development; take specific site suitability characteristics into account during permit application review.

4. Encourage order in growth within and proximate to existing, compatible developed areas, particularly near towns and communities; recognize the need to work with abutting communities to assure compatibility with their Master Plans.

5. Allow well-planned development in other areas subject to site plan review, where (a) the area proposed for development is appropriate as a new development center, (b) there is a demonstrated public demand for and benefit from the proposed development in that area, (c) there is a demonstrated need for locating the development not proximate to established developed areas; (d) the productivity of existing forest and agricultural resources in the jurisdiction is not unduly harmed; (e) recreational resources and uses are not unduly harmed; (f) back country, natural and plant or animal habitat values are not unreasonably degraded; and (g) needed services are available or can be provided without unreasonable financial, social or environmental costs to the public.

6. Discourage the construction of major new public access ways which would result in the loss of significant back country values and the natural character of remote areas; concentrate development in areas served by existing state highway systems.

7. Permit subdivision developments only in areas zoned for development.

8. Support a mixture of types of land uses within development zones where they are compatible.

9. Limit residential densities on the basis of soil suitability and other site limitations.

10. Prevent the degradation of natural and cultural values resulting from cumulative impacts of incremental development.

11. Require the use of buffers, building setbacks, and landscaping to minimize the impacts of land use activities upon one another and to maintain the scenic quality of shorelines and roadways; recognize the need to provide for the establishment of back country type hunting and fishing camps in areas not served by year-round access roads.

12. Require that developments provide for adequate parking and traffic circulation.

13. Support state agency jurisdiction over new utility lines, pipelines, and public transportation right-of-way and assure that their associated facilities be located away from sensitive areas or be constructed and landscaped so that they do not degrade natural values with particular consideration to visual impact.

14. Limit the number, size, type of material and method of lighting of signs, in order to prevent undue or hazardous visual impacts.

15. Regulate the disposal of hazardous waste, sewage, solid waste, manure, and septic sludge and prohibit their disposal in flood prone areas, on unsuitable soils, or in other inappropriate areas.

16. Encourage development that is energy efficient and that incorporates the best practical technologies to conserve energy.

IV. ENFORCEMENT AND EDUCATION

Goal: Administer an effective enforcement and education program in regard to the laws, regulations and standards of the Board, in order to assure landowner and public awareness and compliance.

Policies:

1. Carry out a balanced enforcement effort to identify, investigate, and pursue significant violations of the laws and legal requirements administered by the Board.

2. Utilize the field staffs of State agencies in order to disseminate information to the public and to report compliance problems to the Board.

3. Hold landowners and land managers primarily responsible for land use activities resulting in violations taking place on their lands.

4. Conduct educational programs for citizens, landowners, land managers, contractors, woods workers, lawyers, realtors and others concerning environmentally sound land use practices and the laws and legal requirements administered by the Board.

V. PLAN MODIFICATION

Goal: Provide for periodic review of goals and objectives.

Policy:

1. The timing of events through economic and financial situations may affect the Master Plan. Continuing planning will provide flexibility and will ensure that meaningful decisions are made. Periodic work sessions will be scheduled to assure the timeliness and effectiveness of this Plan and its components.

PLAN IMPLEMENTATION

INTRODUCTION

The Planning Board is responsible for promoting interest in and understanding of this Master Plan, which was prepared under the provisions of N.H. RSA 674:1. This statute states in part that "it shall be the duty of every planning board established under RSA 673:1 to prepare and amend from time to time a master plan to guide the development of the municipality." With the exception of the subdivision regulations, all land development tools must flow from the master plan. Therefore, an important first step is to adopt the master plan, in whole or in part, under the procedures of N.H. RSA 675:6.

Implementation of the plan takes many forms and requires the cooperation of many agencies, public officials, and private citizens. Various planning tools and techniques can be used to help implement it. They are explained below and include: subdivision regulations, zoning ordinance and map, and site plan review regulations.

DEVELOPMENT CONTROLS

Subdivision Regulations

Subdivision regulations are limited primarily to control over the design of individual subdivisions of land. They may consider such aspects of the subdivision plan as drainage, soil and slope characteristics, lot layout, and road construction. They do not regulate its location within the community.

The authority to regulate subdivisions comes from N.H. RSA 674:35. The Planning Board may approve or disapprove plats and may approve or disapprove plans.

The subdivision regulations adopted by the Planning Board include the following: a statement of purpose with objectives, procedures for submitting plans for review, plan data requirements, design standards, improvement specifications, and administration, including necessary forms.

Zoning Ordinance

As mentioned previously, the planning process is designed to establish the general direction for appropriate growth. Zoning is enforced through the County's police powers. Zoning can protect and stabilize property values and offers property owners some assurance that the character of their surroundings will be maintained. Like any legislative enactment, a zoning ordinance may be amended.

The zoning ordinance prepared by the Planning Board [the Unincorporated Places] contains the following: interpretation and intent, the scope of regulations and purposes, definitions, district regulations, administration procedures, the zoning board of adjustment, and enforcement and enactment procedures.

Nonresidential and Multi-family Site Plan Review Regulations

Once the legislative body (in this case the Coos County Convention) has adopted a zoning ordinance, RSA 674:43 permits it to authorize the planning board to review site plans. Site plan review regulations allow the Planning Board to evaluate nonresidential and multi-family projects in greater detail than is possible under zoning or subdivision regulations.

The site plan review regulations presently under consideration by the Planning Board include the following: procedures that the Board would follow in reviewing site plans, definition of purpose, general standards and requirements, guarantees of performance, a provision for waiver, compliance with the notice of action, administration and enforcement, and certification.

CONTINUING PLANNING

Planning is a continual process! A master plan should be reviewed often and updated at least every five years. Economic and financial circumstances may dramatically affect the plan, and the regulatory tools used to implement it. Continuing review and ongoing planning help provide flexibility.

Ongoing planning may take several forms. It may involve planning assistance to the individual Unincorporated Places or may focus on specific studies and proposals. It is important that the Planning Board schedule periodic work sessions throughout the year to consider the timeliness and effectiveness of the Plan and related planning and regulatory tools.

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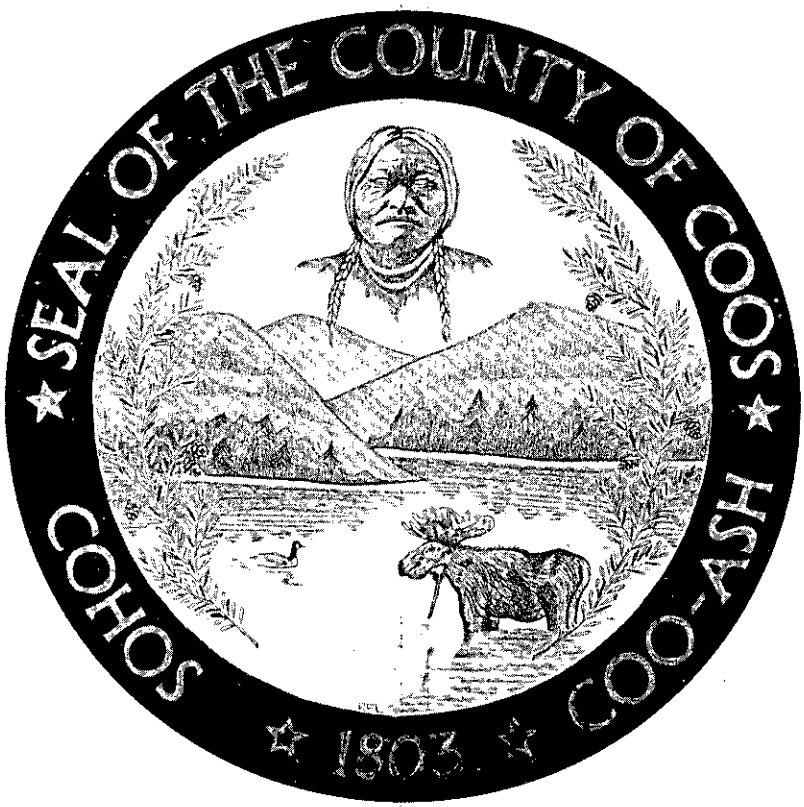
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Update Current Estimates & Trends in New Hampshire's Housing Supply, Update: 1987, November 1988.

Using Impact Fees, March 1988.

White Mountain National Forest Plans & Maps, 1986.

ZONING ORDINANCES



COÖS COUNTY UNINCORPORATED PLACES

Adopted April 20, 1991

ZONING ORDINANCES

COOS COUNTY UNINCORPORATED PLACES

ADOPTED:

04/20/91

ZONING ORDINANCES

FOR THE UNINCORPORATED PLACES

OF

COOS COUNTY, NEW HAMPSHIRE

THE UNINCORPORATED PLACES:

Atkinson & Gilmanton Academy Grant
Bean's Grant
Bean's Purchase
Cambridge
Chandler's Purchase
Crawford's Purchase
Cutt's Grant
Dix's Grant
Dixville
Erving's Grant
Green's Grant
Hadley's Purchase
Kilkenney
Low & Burbank Grant
Martin's Location
Millsfield
Odell
Pinkham's Grant
Sargeant's Purchase
Second College Grant
Success
Thompson/Meserve Purchase
Wentworth Location

All inquiries and correspondence regarding these regulations should be addressed to:

Clerk, Coos County Planning Board
P. O. Box 10
W. Stewartstown, N. H. 03597
(603) 246-3321

COOS COUNTY UNINCORPORATED PLACES

ZONING ORDINANCE

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Article I: TITLE, PURPOSE, GRANT OF POWER AND INTERPRETATION

1.01 TITLE: This ordinance shall be known and may be cited as the "Zoning Ordinance for the Unincorporated Places of Coos County" referred to herein as "the Ordinance".

1.02 PURPOSE: The Coos County Convention and Commissioners find that it is desirable to extend the principles of sound planning, zoning and subdivision control to the unincorporated places of the County; to preserve public health, safety and the general welfare; to conserve and maintain an atmosphere that will enable the citizenry of these places to fulfill their traditional and unique lifestyles; to prevent pollution and conserve water resources in these places; to preserve ecological, historic, aesthetic, and natural values in these places; to encourage appropriate residential, recreational, commercial and industrial uses not detrimental to the proper use or value of these places; to assure the segregation of incompatible uses or activities; to maintain high standards of construction in these places and to mandate prudent set-back requirements near waters and roadways.

1.03 GRANT OF POWER:

I. For the purpose of promoting health, safety and the general welfare of the area, the County adopts this Zoning Ordinance. The Ordinance is designed to regulate and restrict:

(a) The configuration of buildings and other structures;
(b) Lot sizes, the percentage of a lot that may be occupied, and the size of yards and other open spaces;
(c) The density of population; and
(d) The location and use of buildings, structures and land used for business, industrial, residential, or other purposes.

II. The power to adopt a Zoning Ordinance expressly includes the power to adopt innovative land use controls.

III. In its exercise of the powers granted under this ordinance, the County may regulate and control the timing of development.

1.04 INTERPRETATION: In interpreting and applying the Ordinance, the County shall hold the provisions to be minimum requirements adopted for purposes set forth above.

Article II: GENERAL PROVISIONS

2.01 ADOPTION/AMENDMENT OF ZONING ORDINANCE: The County adopted this Zoning Ordinance only after the Planning Board adopted its general statement of goals and objectives for land use in its Master Plan.

2.02 APPLICABILITY: The Zoning Ordinance as adopted shall not apply to existing structures or to the existing use of any land or buildings. This ordinance shall apply to the expansion or alteration of a pre-existing non-conforming use.

2.03 CONFORMANCE WITH REGULATIONS: No buildings, structures, or land shall hereafter be initially occupied, erected, moved or altered in bulk until the required permits have been issued in accordance with the provisions of Article X of this Ordinance, insuring that the undertaking conforms with the provisions of this Ordinance.

2.04 PROHIBITED USES: Uses that are not permitted in a specific district.

2.05 REPAIR OR REMOVAL OF DAMAGED AND UNSAFE STRUCTURES: Any structure damaged by fire, wind or other causes shall be repaired or completely cleared of all debris, and all excavations filled to the ground level within a period of one (1) year unless a variance has been obtained. The Board shall notify the owner in writing of a fixed time for repair or removal, except in the case of fire where repair or removal will be within one (1) year of the date of the fire.

2.06 LOT RECORDED PRIOR TO THE ADOPTION OF THIS ORDINANCE: Any lot as herein defined, which was legally recorded at the time of adoption or amendment of this Ordinance and which was a buildable lot under the Ordinance in effect immediately prior to the amendment of this Ordinance, shall be deemed a buildable lot.

2.07 BUILDING PERMITS ISSUED PRIOR TO ADOPTION OF THIS ORDINANCE: Where construction has begun pursuant to a Building Permit validly issued prior to the effective date of this Ordinance, it may be completed. Construction will be deemed to have begun when all necessary excavations and piers and/or footings shall have been completed.

2.08 ESSENTIAL SERVICES EXEMPT: The provisions of this Ordinance shall not apply to customary local utility distribution or collection of lines of water, gas, sewerage, electric and telephone services.

2.09 COUNTY EXPENSES: Outside independent review by experts may be required by the Board at any time it is considered necessary. Any such independent review ordered by the

Board, even if it is a review of expert opinions offered by persons retained by the applicant, must be paid for by the applicant.

Article III: DEFINITIONS

For the purpose of this Ordinance, words used in the present tense include the future, the singular number includes plural, and the plural includes singular. The word lot shall include plat or parcel. The word structure shall include the word building, where the context requires. The word used shall include arranged, designed, rented, leased, intended to be used, and occupied. The word shall is mandatory; and the word may is permissive. Certain other terms or words shall be interpreted as follows:

3.01 ABUTTER: Any person whose property is located in New Hampshire and/or Maine and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by the county of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII (RSA 672:3).

3.02 ACCESSORY USE: Any use customarily incidental, related and clearly subordinate to a principal use on the same lot.

3.03 AGRICULTURAL MANAGEMENT ACTIVITIES: Land clearing, tilling, fertilizing, including spreading and disposal of manure and manure sludge, liming, planting, pesticide application, harvesting or cultivating crops, pasturing of livestock and other similar or related activities, but not the construction, creation or maintenance of land management roads.

3.04 APARTMENT: Any group of attached or detached buildings generally containing more than two (2) dwelling units (not including trailers or mobile homes) containing two (2) or more living or sleeping rooms arranged for the use of one (1) or more individuals living as a single housekeeping unit with cooking, living, sanitary, and sleeping facilities.

3.05 BASEMENT: An area partly underground but having at least one-half (1/2) of its clear ceiling height above the average finished grade level at the foundation. A basement shall be considered as a story if used for dwelling or business purposes.

3.06 BODY OF STANDING WATER: A body of surface water that has no perceptible flow and is substantially permanent in nature. Such bodies of water are commonly referred to as man-made or natural lakes and ponds (also see Wetlands).

3.07 BOARD OF ADJUSTMENT: The Board of Adjustment of the COOS COUNTY UNINCORPORATED PLACES as established by RSA 673:1.

3.08 BUILDING: Any independent structure having a roof with structural supports for the shelter or enclosure of persons, animals, or property.

3.09 BUILDING ACCESSORY: A building subordinate to and located on the same lot, the use of which is clearly incidental to that of the main building, such as a detached garage or barn.

3.10 CAMPGROUND: Any area, other than a camp site, designed for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar facility for temporary shelter.

3.11 CAMPSITE: Any area designated for transient occupancy by camping primarily in tents or lean-tos; under this definition no camp site shall be designated to accommodate more than thirty (30) overnight visitors and permanent structures shall be limited to privies, fireplaces, picnic tables (with or without roofs), lean-tos and water pumps.

3.12 CELLAR: See Basement.

3.13 CEMETERY: A parcel of land used only as a burial ground.

3.14 CLUSTER: A division of land into lots for use as a single family building sites where said lots are arranged into one or more groups having frontage, area and total yard measurements less than the minimum required in the table of density regulations. The number of lots over the entire tract of land shall not exceed the number of lots permitted under normal application of the area regulations of the district in which the tract of land is located.

3.15 COMMERCIAL MINERAL EXTRACTION: Mineral extraction other than extraction of construction aggregate that is incidental to agricultural or forest management activities, sales of 150 cubic yards or less per month, normal landscaping or minor topographical adjustment.

3.16 COMMERCIAL SPORTING CAMP: A building or group of buildings devoted primarily to the offering of primitive lodging facilities for a fee to persons primarily in pursuit of primitive recreation or snowmobiling.

3.17 COMPATIBLE USE: A land use which is capable of existing in harmony with other uses or resources situated in its immediate vicinity because that use does not adversely affect such other uses or resources.

3.18 CONDOMINIUM: Any development which is controlled by the N.H. Condominium Act, RSA 356-B.

3.19 COVERAGE: The ratio of the total ground floor area of buildings, including porches, decks, roofs, or other impervious surfaces to the total area of the lot, expressed as a percentage.

3.20 DEER WINTERING AREAS: Areas used by deer during winter for protection from deep snows, cold winds, and low temperatures.

3.21 DEVELOPMENT: Any land use activity or activities directed toward using, reusing, or rehabilitating air space, land, water or other natural resources, excluding however, such specific uses or classes and categories of uses which by the terms of this Ordinance do not require a permit.

3.22 DOCKING OR MOORING STRUCTURE: A structure placed in or near water for the purpose of securing and/or loading or unloading boats.

3.23 DUPLEX: A building containing two (2) dwelling units on one lot.

3.24 DWELLING UNIT: Housekeeping quarters for one (1) family on one (1) lot.

3.25 DWELLING, ONE FAMILY: A detached building designed for or occupied exclusively by one (1) family.

3.26 DWELLING, MULTI-FAMILY: A building designed for or occupied exclusively by more than two (2) families living independently of one another.

3.27 FAMILY: One (1) or more persons occupying a single housekeeping unit, but including no more than four (4) members that are not related by blood, marriage or adoption.

3.28 FLOWING WATER: A surface water within a stream channel that has a perceptible flow and is substantially permanent in nature. Such waters are commonly referred to as rivers, streams and brooks.

3.29 FOREST: A plant community predominantly of trees and other woody vegetation growing more or less closely together.

3.30 FOREST MANAGEMENT ACTIVITIES: Forest management activities include timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, timber stand improvement, pruning, timber harvesting and other forest product harvesting, regeneration of forest stands, and other similar or associated activities, including the routine maintenance of existing or permitted

land management roads but not the construction or creation of land management roads.

3.31 FOREST PRODUCT: Any raw material yielded by a forest.

3.32 FRONTAGE: The length of the lot bordering on a public street or water body.

3.33 GREEN SPACE: Land not built upon or not covered by gravel or impervious cover which has or can have grass, flowers, shrubs, plants, trees or similar ground cover.

3.34 HEIGHT: The vertical distance between the lowest finished grade within one foot of the foundation and the highest point of the roof of a building or structure.

3.35 H.I.S.S.: High Intensity Soil Survey. A detailed and extensive soil analysis conducted by a qualified soil scientist.

3.36 HOME OCCUPATION: Use of a dwelling for a customary home occupation, such as millinery, dressmaking, hairdressing, real estate, preserving and home canning, or the office of a doctor, dentist, engineer, architect, lawyer, musician, teacher or other recognized professional; provided, however, that such use shall be incidental to the principal use of the dwelling as a residence, and provided further that not more than four (4) persons shall be employed in a home occupation in any location at any one time in addition to the proprietor.

3.37 JUNK: Any worn out, cast off, or discarded articles or materials which are ready for destruction or have been collected or stored for salvage or conversion to some use. Any article or material which unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.

3.38 JUNK YARD: Any area used for the storage of junk or abandonment of two (2) or more unregistered vehicles.

3.39 LAND MANAGEMENT ROAD: A route or track consisting of a bed of exposed mineral soil, gravel or other surfacing material constructed for, or created by, the repeated passage of motorized vehicles and primarily for agricultural or forest management activities, including associated log yards but not including skid trails, skid roads, and winter haul roads.

3.40 LAND USE SUBDISTRICT: The area located within the boundaries of air, land or water delineated vertically or horizontally by the Board to provide for distinct categories of uses or resources.

3.41 LEASE LOT: A parcel of land leased for a specific period of time by a landowner for a specific purpose.

3.42 LOT: A parcel of land of at least sufficient size to meet the minimum requirements of this Ordinance for use, coverage, and area to provide required yards and other open spaces.

3.43 LOT, CORNER: A lot with frontage on two (2) or more streets at their intersection, where the interior angle of the intersection is less than one hundred thirty-five (135) degrees.

3.44 LOT AREA: The area in square feet or acres enclosed by the lot lines of a single lot.

3.45 LOT DEPTH: The average horizontal distance from the front lot line to the rear lot line.

3.46 LOT WIDTH: The average horizontal distance between the side lot lines at right angles to its depth.

3.47 LOT LINE, FRONT (STREET LINE): Any lot line that coincides with a line of a street or a public right-of-way which provides or can provide access to the lot.

3.48 LOT LINE, REAR: The lot line most distant from the front lot line, except that in the case of a corner lot, the owner shall have the option of choosing which of the lot lines shall be the rear lot line.

3.49 MAJOR RECREATIONAL EQUIPMENT: Boat and boat trailers, travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers, and similar devices.

3.50 MANUFACTURED HOUSING: The definition of manufactured housing for the purpose of this ordinance shall be in accordance with the definition provided in NH RSA 674:31 and 32.

3.51 MANUFACTURED HOME PARK: Any lot used to accommodate two (2) or more individual manufactured homes, including all accessory buildings, tents, or other appurtenances; regardless of whether a charge is made for such accommodations. A manufactured home park does not include the parking of unoccupied manufactured homes for inspection and sale as a commercial business.

3.52 MASTER PLAN: A document prepared and/or adopted by the Planning Board to guide the long-range development of the Unincorporated Places.

3.53 MODULAR/SECTIONAL HOME: A detached residential dwelling of conventional wood frame construction designed and fabricated for transportation on streets or highways on a flatbed or

other trailer and arriving at the site where it is to be occupied as a dwelling after assembly operations on a permanent foundation.

3.54 MOTEL: A building or a group of buildings, other than private homestead, containing guest rooms designed and used primarily for the accommodation of travelers.

3.55 NONCONFORMING LOT: A lot of record at the time this Ordinance or amendment becomes effective but which does not conform with the regulations for the district in which it is located.

3.56 NONCONFORMING STRUCTURE: A structure, lawfully existing at the time of adoption of district regulations or subsequent amendment made thereto, that does not conform to the district regulations.

3.57 NONCONFORMING USE: A use of air, land, water, or natural resources or a parcel of land, lawfully existing at the time of adoption of district regulations or subsequent amendments made thereto, that does not conform to the district regulations.

3.58 NORMAL MAINTENANCE AND REPAIR: Unless otherwise provided, any work necessary to maintain an improvement or structure in its original or previously improved state or condition. Normal maintenance and repair shall not include reconstruction, change in design, change in structure, change in use, change in location, change in size or capacity.

3.59 ON PREMISE SIGN: A sign which is located upon the same lot or parcel of real property where the business, facility, or point of interest being advertised is located.

3.60 OPEN SPACE: Area that includes either private or public facilities for both active and passive types of recreation including, but not limited to, playgrounds, parks, and undeveloped land of all types.

3.61 PARKING SPACE: An off-street space, whether inside or outside of a structure, to be used primarily as parking area for a vehicle.

3.62 PERMIT: A written warrant granted by the federal government, the State of New Hampshire, the Planning Board, the Zoning Board of Adjustment, the building inspector or other regulatory body.

3.63 PERSON: An individual, firm, association, organization, partnership, trust, company, corporation, state agency or other legal entity.

3.64 PLANNING BOARD: The Planning Board of Coos County known as

the Board.

3.65 PRIMITIVE RECREATION: Those types of recreation associated with non-motorized travel, including fishing, hunting, hiking, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, snowshoeing, and mountain biking.

3.66 PRINCIPAL BUILDING: Any building other than one which is used for purposes wholly incidental or accessory to the use of another building on the same premises. All buildings on one land parcel related to agricultural management activities, including without limitation the dwelling(s) of the owner or lessee of land used for agricultural management activities, his employees engaged in such use and members of their families, shall be considered as one principal building. All buildings on one land parcel related to forest management activities, including without limitation the dwelling(s) of the owner or lessee of land used for forest management activities, his employees engaged in such use and members of their immediate families, shall be considered as one principal building.

3.67 PROJECTING SIGN: A sign which is attached to a wall of a building and extends more than 15 inches from any part of the wall.

3.68 PROPERTY LINE: Any boundary between parcels of land owned or leased by different persons or groups of persons.

3.69 REMOTE CAMP: A dwelling unit generally consisting of not more than 750 square feet of gross floor area, that is not served by any public utilities.

3.70 REMOTE CAMPING SITE: Any area designed for transient occupancy by camping primarily in tents or lean-tos. Permanent structures shall be limited to privies, fireplaces, picnic tables (with or without roofs), lean-tos and water pumps.

3.71 RESIDENTIAL LOT: A parcel of land intended for family dwelling use, either single family or duplex.

3.72 RIGHT-OF-WAY: A strip of land for public access. This includes all municipal, state and federal highways including utility rights-of-way, rights-of-way dedicated to the public use, and rights-of-way shown on recorded subdivision plats; except such rights-of-way which may be designed as private.

3.73 ROADWAY: A public or private road including any land management road.

3.74 ROOF SIGN: A sign which is attached flat to, painted on, or

pinned away from the roof of a building.

3.75 SCREEN OR SCREENING: A strip of land at least six (6') feet wide, densely planted (or of natural growth) of shrubs or trees, at least four (4') feet high at the time of planting, of a type that will form a year round dense screen at least six (6') feet high within three (3) years; or an opaque fence at least six (6') feet high.

3.76 SERVICE DROP: Any utility line extension which does not cross or run beneath any portion of a body of standing water provided that:

a. in the case of an electric service
   1. the placement of wires above or below ground and/or the installment of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way, and,
   2. the total length of the extension is less than 1,000 feet.

b. in the case of telephone service
   1. the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, or
   2. the extension, requiring the installation of new utility poles or placed underground, is less than 1,000 feet in length.

3.77 SET-BACK: A line beyond which the foundation wall and/or any covered porch or other portion of a building shall not project.

3.78 SIGN: A structure, device or inscription that is arranged intended, designed or used as an advertisement, announcement, or direction, but not including those structures, devices or inscriptions erected and maintained by any public agency in exercising its duties.

3.79 SIGN, AREA OF: The entire surface area of a sign within a single continuous perimeter enclosing the extreme limits in writing, representation, emblem, or figure but excluding the supports on which the sign is placed. The area of one side of a double-faced sign shall be regarded as the total area of the sign.

3.80 SOLID WASTE: Any matter consisting of putrescible material; refuse; septage; sludge from water supply treatment works, or air pollution control facility; and other discarded or abandoned material. It includes solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities. For purposes of this ordinance, it does not include hazardous waste as defined in RSA 147-A:2, solid or dissolved materials in irrigation return flows; or municipal and industrial

discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended; or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended, or sludge from a waste treatment plant.

3.81 SOLID WASTE MANAGEMENT: The systematic administration of activities for the collection, source separation, processing, treatment, transportation, transfer, storage, recovery and disposal of solid waste.

3.82 SPECIAL EXCEPTION USE: A use which may be allowed by the Planning Board in certain locations within certain specified districts. Such a use, when approved by the Planning Board, shall be construed to be conforming under this Ordinance.

3.83 STREET: Relates to and includes the right of way of a street, avenue, boulevard, road, lane, alley, viaduct, highway, freeway and other ways.

3.84 STREAM CHANNEL: A channel between defined banks created by the action of the surface water and characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil parent material or bedrock as identified on the Zoning Maps.

3.85 STRUCTURE: Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, walls, fences, billboards, signs, piers and floats.

3.86 SUBDIVISION:

1. Subdivision means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

2. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title. (RSA 672:14)

3.87 SUBSURFACE SEWAGE DISPOSAL: Any system disposing of wastes or waste waters on or beneath the surface of the earth including but not limited to, holding ponds, surface spray systems, septic tanks, drainage fields, cesspools, wells, holding tanks, surface ditches or any other fixture, mechanism, or apparatus used for such purposes.

3.88 TIMBER HARVESTING: The cutting and removal of trees from their growing site, and the attendant operation of mobile or portable chipping mills and of cutting and skidding machinery, including the creation and use of skid trails, skid roads, and winter haul roads, but not the construction or creation of land management roads.

3.89 TRAIL: A route or path other than a roadway, and related facilities used primarily for recreational activities, which passes through or occurs in a natural environment and may involve the disturbance of the land's surface in its construction or use. Related facilities may include but not be limited to subsidiary paths, springs, campsites, view points, and unusual or exemplary natural features in the immediate proximity of the trail which are commonly used or enjoyed by the users of the trail.

3.90 UNINCORPORATED PLACES: All areas located within the jurisdiction of Coos County, except areas located within organized cities and towns.

3.91 UNINCORPORATED TOWN: Misused term, see Unincorporated Place.

3.92 UTILITY FACILITIES: Structures normally associated with public utilities, including without limitation: radar, radio, television, or other communication facilities; electric power transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; municipal sewage lines; gas, oil, water, slurry or other similar pipe lines or above ground storage tanks.

3.93 USE: The principal purpose for which a lot or the principal building thereon is designed, occupied, maintained, or intended to be used.

3.94 VARIANCE: A permit which may be granted, in special cases, by the Board of Adjustment in accordance with RSA 674:33.

3.95 WALL SIGN: A sign which is attached flat to, painted on or pinned away from the wall of a building and does not project more than 15 inches from such wall.

3.96 WATER BAR: An obstruction placed across a roadway which effectively diverts surface water from and off the road.

3.97 WATER CROSSING: A roadway crossing of any body of standing or flowing water (including in its frozen state) by means of a bridge, culvert, or other means.

3.98 WATER IMPOUNDMENT: Any body of water created, or elevation of which is raised, by man through the construction of a dam.

3.99 WETLANDS: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under certain circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

3.100 WILDLIFE: All vertebrate species including mammals, birds, and fish.

3.101 WILDLIFE MANAGEMENT: Activities engaged in for the exclusive purpose of management of wildlife populations by manipulation of their environment for the benefit of one or more species. Such practices may include, but not be limited to, harvesting or removal of vegetation, controlled burning, planting, impounding water, controlled hunting and trapping, relocation of wildlife, predator and disease control, and installation of artificial nesting sites, provided that such activities are specifically controlled and designed for the purpose of managing such species.

Article IV: ESTABLISHMENT OF DISTRICTS

4.01 DISTRICTS: In order to accomplish any or all of the purposes of the Zoning Ordinance, the County has divided the Unincorporated Places into districts of a number, shape and area as are deemed best suited to carry out the purposes of the Ordinance. The Ordinance regulates and restricts the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land within each district it creates. All regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

4.02 DIVISION INTO DISTRICTS: The Unincorporated Places of Coos County, New Hampshire are hereby divided into the following zoning districts:

I. PROTECTED DISTRICTS: Areas where development would jeopardize significant natural, recreational, and or historic resources, including but not limited to, flood plains, steep slopes, wildlife habitat and other areas critical to the ecology of these places.

II. MANAGEMENT DISTRICTS: Areas which are appropriate for forest management or agricultural uses and for which there are no approved plans for additional development at the time of adoption of this ordinance.

III. DEVELOPMENT DISTRICTS: Areas which have patterns of residential, recreational, commercial or industrial use, or commercial removal of minerals or other natural resources and areas that may be designated by the Board as being appropriate for the future development areas.

IV. NON-JURISDICTIONAL DISTRICTS: Areas or places owned by either the Federal or State governments and over which the Board exercises no control.

In addition to the above stated districts the Board may designate subdistrict classifications as it may deem necessary in order to carry out the intent of this Ordinance.

4.03 PROTECTED DISTRICTS (PD): The purpose of a PD is to protect certain critical areas from inappropriate land use activities which may degrade their environmental quality. The following are the protected subdistricts:

1. Aquifers PD1
2. Flood prone areas PD2
3. Critical Wildlife Habitat PD3
4. Fish spawning areas PD4

5. Shorelines of rivers, streams, ponds and lakes PD5
6. Steep slopes PD6
7. Wetlands PD7
8. Unusual Area PD8

4.03A AQUIFERS(PD1)

1. Purpose

The purpose of the Aquifer Protected District is to protect the quantity and quality of ground water supply used or potentially available for human or industrial consumption.

2. Description

Areas having soil rated as highly permeable and/or surficial geologic units that are highly permeable and are hydrologically connected through highly fractured bedrock units to a ground water supply which is currently, or anticipated to be, used for public, industrial or agricultural purposes, or areas identified as aquifer recharge areas based on studies by appropriate qualified persons or agencies.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD1:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camp sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling;
9. Forest Management Activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD1 upon issuance of a permit from the Board:

1. Agricultural management activities;
2. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations);
3. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD1.

4.03B FLOOD PRONE AREAS (PD2)

1. Purpose

The purpose of the PD2 is to regulate certain land use activities in flood prone areas in order to minimize the human and financial costs of floods and flood cleanup programs, by protecting adjacent, upstream and downstream property from flood damage, by minimizing danger from malfunctioning water supply and waste disposal systems in flood prone areas.

2. Description

Areas located within the 100 year frequency flood plain as identified by the Board after consideration of relevant data including, without limitation, identification of areas as flood prone by state and federal agencies, historical data, and the National Cooperative Soil Survey.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD2:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation

of water bodies;
8. Snowmobiling;
9. Agricultural management activities;
10. Forest management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD2 upon issuance of a permit from the Board:

1. Land management roads, except for water crossings permitted pursuant to RSA 485-A:17 (Terrain Alterations).
2. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect which are built to federal flood plain building code standards.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD2.

4.03C CRITICAL WILDLIFE HABITAT (PD3)

1. Purpose

The purpose of the PD3 is to provide critical habitat for boreal wildlife by establishing a protected zone of critical wetland wildlife habitat areas and streamside coniferous travel corridors surrounding or linking protected critical wetland wildlife habitat areas. These areas would both provide travel corridors for large mobile species and would also provide the life requisites of many species preferring spruce/fir, thereby providing a corridor for the dispersal of juveniles for maintaining viable populations. Northern hardwood stands in excess of 20 acres will be excluded from the harvest regulations of the PD3b and PD3c zones.

2. Description and Conditions

Habitat for deer, moose, lynx, marten, osprey, eagle, spruce grouse, black backed woodpecker, three-toed woodpecker, black bear, fisher and 122 additional vertebrate wildlife species will be provided by the district. The PD3 will be defined as the area recommended by NH Fish and Game and designated by the Board as critical wetland wildlife habitat areas and the four hundred foot strip adjacent to such areas, said strip to be divided further into two zones. PD3a will be the critical wetland wildlife habitat; PD3b will be the 200 foot strip from the edge of the PD3a; and the PD3c will be the strip 201 feet to 400 feet from the edge of the PD3a.

3. Land Use Standards

PD3a:

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD3a:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on existing roads;
3. Wildlife and fishery management practices as prescribed by New Hampshire Fish and Game;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Foot trails, provided they are maintained so as to reasonably avoid sedimentation of water bodies;
8. Maintenance of existing all season roads.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD3a upon issuance of a permit from the Board:

1. Permanent and/or temporary land management roads except for water crossings permitted pursuant to RSA 485-A:17;
2. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD3a.

PD3b:

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD3b:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on existing roads;
3. Wildlife and fishery management practices as prescribed by New Hampshire Fish and Game;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public

health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Foot trails, provided they are maintained so as to reasonably avoid sedimentation of water bodies;
8. In consultation with NH Fish & Game, forest management activities involving less than 33% removal of stand basal area by single tree or group selection methods with openings up to one (1) acre in size in any 20 year time interval for any 700 foot length of the PD3b zone;
9. Maintenance of existing all season roads.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD3b upon issuance of a permit from the Board:

1. Forest management activities involving more than 33% removal of stand basal area in any 20 year time interval for any 700 foot length of the PD3b zone, the application of other than single tree or group selection methods, and openings greater than one (1) acre in size.
2. Permanent and/or temporary land management roads except for water crossings permitted pursuant to RSA 485-A:17;
3. Non-commercial mineral extraction covering an area of less than one (1) acre per extraction site;
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD3b.

PD3c:

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD3c:
1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on existing roads;
3. Wildlife and fishery management practices as prescribed by New Hampshire Fish and Game;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search

and rescue operations;
7. Foot trails, provided they are maintained so as to reasonably avoid sedimentation of water bodies;
8. In consultation with NH Fish & Game, forest management activities involving less than 50% removal of stand basal area with openings up to three (3) acres in size in any 10 year time interval for any 700 foot length of the PD3c zone;
9. Maintenance of existing all season roads.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD3c upon issuance of a permit from the Board:

1. Forest management activities involving more than 50% removal of stand basal area in any 10 year time interval for any 700 foot length of the PD3c zone, and openings greater than three (3) acres in size.
2. Permanent and/or temporary land management roads except for water crossings permitted pursuant to RSA 485-A:17;
3. Non-commercial mineral extraction covering an area of less than one (1) acre per extraction site;
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD3c.

4.03D FISH SPAWNING AREAS (PD4)

1. Purpose

The purpose of this PD4 is to conserve important fish spawning habitats essential to the citizens of the County and the State.

2. Description

A fish spawning protected area must be identified by the NH Fish and Game Department as a significant fish spawning nursery and critical habitat.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD4:

1. Primitive recreational uses, including fishing,

hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD4 upon issuance of a permit from the Board:

1. Agricultural management activities;
2. Forest Management activities;
3. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations);
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD4.

4.03E SHORELINES OF RIVERS, STREAMS, PONDS, AND LAKES (PD5)

1. Purpose

The purpose of the PD5 is not to wholly preclude residential and recreational development on the County's rivers, streams, ponds and lakes but to regulate these areas so that development will not degrade the environmental quality of these areas.

2. Description

Areas within 200 feet of the normal high water mark along those water bodies delineated as PD5 areas on the Zoning Maps.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within

a PD5:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling;
9. Land management roads except water crossings permitted pursuant to RSA 485-A:17 (Terrain Alterations);
10. Agricultural management activities;
11. Forest Management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD5 upon issuance of a permit from the Board:

1. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD5.

4.03F STEEP SLOPES & HIGH ELEVATIONS (PD6)

1. The purpose of a PD6 is to regulate certain land use activities in mountain areas in order to preserve the natural equilibrium of vegetation, geology, slope, soil and climate in order to reduce danger to public health and safety posed by unstable mountain areas, to protect water quality, and to preserve mountain areas for their scenic values and recreational opportunities.

2. Description

   a. Areas above 2,700 feet in elevation; or
   b. Slopes in excess of 60 percent (27-degree angle) over ten (10) contiguous acres.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD6:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD6 upon issuance of a permit from the Board:

1. Agricultural management activities;
2. Forest Management activities;
3. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations);
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD6.

4.03G WETLANDS (PD7)

1. Purpose

The purpose of the PD7 is to conserve wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

2. Description

a. Areas enclosed by the normal high water mark of flowing waters, stream channels and standing waters as designated on the zoning maps.

b. Areas encompassing 10 acres or more in size identified by the Board as inland wetlands. The Board may be guided in such identification by the Wetlands Inventory compiled by the State of NH Wetlands Board.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD7:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling;
9. Agricultural management activities;
10. Forest management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD7 upon issuance of a permit from the Board:

1. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations);
2. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD7.

4.03H UNUSUAL AREA (PD8)

1. Purpose

To protect areas of significant natural, recreational, historic, scientific or aesthetic value which are susceptible to significant degradation by man's activities and for which protection cannot adequately be accomplished by inclusion in any of the other subdistricts.

2. Description

Areas identified by the Board as important in preserving the historic, scenic, scientific, recreational, aesthetic or water resources of the unincorporated places and which have special land management requirements which cannot adequately be accomplished within another subdistrict. Subdistricts may include, but are not limited to, historic or archaeological sites or structures, scientific phenomena, natural areas, or important water supply sources.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD8:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD8 upon issuance of a permit from the Board:

1. Agricultural management activities;
2. Forest Management activities;
3. Land management roads except for water crossing

permitted pursuant to RSA 485-A:17 (Terrain Alterations);

4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD8.

4.04 MANAGEMENT DISTRICTS (MD): The purpose of an MD is to permit forestry and agricultural management activities to occur with minimal interference from unrelated development in areas where the Board finds that the resource protection afforded by Protection Districts is not required.

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within an MD:

1. Agricultural management activities;
2. Forest management activities;
3. Land Management roads;
4. The operation of machinery and the erection of buildings and other structures used primarily for agricultural, forest management or primitive recreational activities;
5. Service drops;
6. Surveying, mineral exploration and other resource analysis;
7. Mineral extraction operations, less than 5 acres in size, for road purposes;
8. Primitive recreational uses including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
9. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
10. Campsites;
11. Motorized vehicular traffic on roads, and snowmobiling;
12. Road projects;
13. Wildlife and fishery management practices;
14. Signs;
15. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within an MD upon the issuance of a permit from the Board:

1. Commercial mineral extraction operations or those affecting an area 5 acres or greater in size;
2. Campgrounds;
3. Single dwelling units;
4. Utility facilities, excluding service drops;
5. Solid waste disposal;
6. Sewage sludge disposal;
7. Remote camps;
8. Non-commercial structures utilized for educational, scientific, or nature observation purposes;
9. Commercial sporting camps having a total gross floor area of no more than 8,000 square feet for all principal buildings concerned;
10. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a MD.

4.05 DEVELOPMENT DISTRICTS (DD): For purposes of this Ordinance, Development Districts are further broken down into the following subdistricts:

(a) General Development Subdistricts (DD-G)
(b) Planned Development Subdistricts (DD-P)
(c) Residential Development Subdistricts (DD-R)

4.06 GENERAL DEVELOPMENT SUBDISTRICT (DD-G): The purpose of the DD-G is to recognize existing patterns of development in appropriate areas and to encourage further patterns of compatible development therein and adjacent thereto. It is the Board's intent to promote these areas as future growth centers in order to encourage the location of compatible developments near each other and to minimize the impact of such development upon incompatible uses and upon public services and facilities. Thus the Board's purpose is to encourage the general concentration of new development, and thereby avoid the fiscal and visual costs of sprawl, and to provide a continuing sense of community in settled areas.

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a DD-G:

1. Primitive recreational uses, including fishing,

hiking, wildlife study and photography, wild crop harvesting, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing, but not including hunting or trapping;

2. Motorized vehicular traffic on roads, and snowmobiling;
3. Wildlife and fishery management practices;
4. Surveying, mineral exploration and other resource analysis;
5. Signs (See Section VIII);
6. Land management roads;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Service drops;
9. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
10. Agricultural management activities;
11. Forest management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a DD-G upon issuance of a permit from the Board:

1. Mineral extraction operations of less than five (5) acres in size for on-site improvement;
2. Road projects;
3. Residential: Single family detached dwelling units; multi-family dwellings; condominiums; and residential subdivisions;
4. Public and Institutional: Places of worship and other religious institutions; public, private and parochial schools; public and other institutional buildings such as, but not limited to libraries, fire stations, post offices, day nurseries, and cemeteries;
5. Commercial and Industrial: Facilities having less than 1000 sq. ft. of gross floor area including facilities offering food and beverages prepared on the premises, retail stores and services, and laundromats but excluding auto service stations or repair garages and uses which may create a nuisance or unsafe or unhealthy conditions or are otherwise incompatible with residential uses; and subdivisions for uses permitted by this Subdistrict;
6. Utility facilities compatible with residential uses, other than service drops;
7. Public or private recreation facilities including, but not limited to, campgrounds, parks, playgrounds, golf courses, commercial sporting camps, hotels, motel, and campsites;

8. Other structures, uses, or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources and uses they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception shall be prohibited in a DD-G.

4.07 PLANNED DEVELOPMENT SUBDISTRICT (DD-P): In accordance with RSA 674:21, the purpose of the DD-P is to allow for large scale, well planned developments. The Board's intent is to consider development proposals that may be separated from existing developed areas, provided that they can be shown to be of high quality and not detrimental to other values established in the Master Plan, and provided they depend on a particular natural feature or location which is available at the proposed site. A zone change will be recommended to the Board of County Commissioners when the Planning Board is persuaded by a preponderance of all the evidence that the location of the site is the best reasonably available for the proposed use and that the goals and policies of the Master Plan are served. Where a DD-P zone change is granted, it shall not provide the basis for subsequent redistricting of the area to another Development District or Subdistrict, nor shall it serve to satisfy those requirements for redistricting surrounding areas to other Development Districts. Satisfying the needs to become a DD-P does not eliminate further site plan review.

The DD-P Subdistricting process is designed to encourage creative and imaginative design and site planning, to promote efficient use of land, and to afford the applicant reasonable guidance in formulating an acceptable development proposal. The implementation of a DD-P is regulated through the site plan review process.

(a) DESCRIPTION: Areas proposed for residential, recreational, commercial and industrial use or some combination of those uses, for which a comprehensive development plan (which treats the entire parcel as an entity) has been submitted to, reviewed and approved by the Board.

1. A DD-P proposed for predominantly residential and/or recreational land uses shall contain a minimum of 30,000 sq. ft. of all building floor area and shall include at least 150 contiguous acres. (A predominance of uses shall exist when the majority of the gross building floor area is devoted to such uses).

2. A DD-P proposed for predominantly commercial and/or industrial land uses shall contain a minimum of

30,000 sq. ft. of gross building floor area and shall include at least 50 contiguous acres.

In either of the above cases, no development, other than access roads and utility lines shall be less than 400 feet from any property line. (This dimension may be increased or decreased at the Planning Board's discretion). Furthermore, the project shall be reasonably self-contained and self-sufficient and to the extent practicable provide for its own water and sewage services, road maintenance, fire protection, solid waste disposal and police security.

(b) PERMITTED USES: All uses approved in the Final Development Plan shall be permitted. No other use shall be permitted except where the Board determines that such additional use is consistent with such Plan and with the purposes thereof.

(c) OWNERSHIP: An application for the creation of a DD-P may be filed only by the owner or lessee (with written owner approval) of all lands to which the application pertains.

(d) BURDEN OF PROOF: The burden of proof is upon the applicant to show by substantial evidence that his proposal satisfies the criteria established for the creation of a DD-P and is consistent with the goals and policies of the Master Plan.

(e) PROCEDURE: The planned development review procedure shall consist of two stages:

1. Preapplication Conference; and
2. Submission of a Concept Plan.

(f) PREAPPLICATION CONFERENCE: A preapplication conference shall be held with the Board and may include representatives from other relevant agencies and governmental units. At this conference the procedures, regulations, and policies that will govern the DD-P application will be discussed. The conference shall provide a forum for an informal discussion on the acceptability of all aspects of the project proposal, prior to its filing with the Board. The conference proceedings shall be summarized in writing and made available to the applicant.

(g) CONCEPT PLAN:

1. Application: The Concept Plan shall include: evidence that the proposal conforms with the Board's Master Plan and the purpose and description of a Planned Development Subdistrict as contained herein; evidence showing that the

permit criteria will be satisfied; and the submission of various written and illustrative documents, as described hereinafter. Prior to any decision relative to such application, the Board shall make known its findings and recommendations, in writing, and a public hearing shall be held in accordance with the Board's constitution and by-laws. Outside independent review by experts may be required by the Board at any time it is considered necessary.

The following items are required to be submitted with any Concept Plan application:

WRITTEN STATEMENTS

A. A description of the property boundaries proposed for the DD-P, including a statement of present and proposed ownership.
B. A statement of the objectives to be achieved by locating the development in its proposed location. The statement should describe why the site is considered the best reasonably available for the proposed use(s). The fact that the applicant owns or leases the property shall not, of itself, be sufficient evidence to satisfy this last requirement.
C. A preliminary development schedule and construction program that indicates when the project and stages thereof will begin and be completed. The schedule is to specify what percentage of the total project is represented by each stage and what buildings, floor areas (if appropriate), and land areas are included in such stage.
D. A statement of the applicant's intentions with regard to future selling, leasing or subdividing of all or portions of the project. The statement should describe the type of covenants, restrictions or conditions that are proposed to be imposed upon buyers, lessees, or tenants of the property.
E. General statements to satisfy the Board that the project is realistic, and can be financed and completed. Such statements shall demonstrate that the applicant has the financial resources and support to achieve the proposed development and that a sufficient market exists for the goods and/or services the development will provide.
F. A preliminary statement of the environmental impact of the proposed development which sets forth the reasonably foreseeable adverse effects and measures to be taken by the

applicant to minimize such effects. An Environmental Impact Statement (EIS) may be required after analysis of the Preliminary Impact Statement.

G. A general statement that indicates how the natural resources of the area will be managed and protected so as to reasonably assure that if those resources are currently designated within Protection Districts they will receive protection that is substantially equivalent to that under the original subdistrict designation.

MAPS

H. A location map (drawn on a USGS topographic map base or zoning map)that indicates the area for which a DD-P designation is sought. This map should show all existing districts and subdistricts.

I. A map showing existing site conditions, water courses, unique natural conditions, forest cover, swamps, lakes, ponds, wetlands, existing buildings, road boundaries, existing recreational features such as snowmobile trails, property lines and names of adjoining property owners, scenic locations, and other prominent topographical or environmental features.

J. A soils map of at least medium intensity that covers those portions of the site where any development is proposed. The description should use the soil group designations utilized in the USDA Soil Series.

K. A preliminary site plan that shows the approximate location of all existing and proposed buildings, structures and other improvements, including roads, bridges, beaches, dumps, wells, sewage disposal facilities, storm drainage, cut and fill operations, and general green areas. This plan should show the approximate proposed lot lines, the location of open spaces, parks, recreational areas, parking areas, service and loading areas, and notations of what is to be in common or private ownership.

L. A map or description of the approximate size, type, and location of proposed utility systems including waste disposal, water supply, and electric and telephone lines. Where a public water supply, and/or a central sewage collection and/or treatment system is proposed, evidence shall be required to show that these facilities will meet applicable governmental requirements and that the soils

are suitable for such sewage disposal system.

Where the DD-P involves a staged development and the applicant cannot reasonably make available maps required pursuant to paragraph K of this section, covering all future stages of development, he shall submit such maps covering only the initial development stage, together with sketch plans covering all other development stages. Such plans shall describe all proposed land uses, densities, circulation patterns and building locations and are to be in sufficient detail to permit the Board to determine if the site can support the entire development program, especially in terms of soil suitability, traffic circulation, and water supply and sewage waste disposal.

2. Hearings and Criteria for the Approval of the Concept Plan: The Board shall schedule a public hearing within 60 (sixty) days after the Planning Board or its designated staff deem a complete Concept Plan application has been filed, unless the applicant requests, in writing that this time be extended.

   The public hearing notification in accordance with RSA 676:4 shall notify the public and abutters and the proceedings shall meet the requirements of appropriate statutes and Board rules. Within 90 days after the close of the record of the public hearing, the Board may approve, approve with conditions, or deny the application for the zone change in writing. In making this decision, the Board shall ensure that the proposal:

   A. Conforms with the objectives and policies of the Master Plan;
   B. Incorporates, where the land proposed for inclusion in the DD-P is in a Protection Subdistrict, a substantially equivalent level of environmental and resource protection as was afforded under such Protection Subdistrict;
   C. Utilizes the best reasonably available site for the proposed use;
   D. Incorporates high quality site planning and design in accordance with accepted contemporary planning principals;
   E. Envisions a project that is reasonably self-sufficient in terms of necessary public services;
   F. Provides for safe and efficient traffic circulation; and
   G. Utilizes the best practical technology to

reduce pollution, waste and energy consumption.

3. Approval or Denial of Concept Plan:

A. If, after weighing all the evidence, the Board approves the Concept Plan application, the Planning Board shall recommend to the Board of County Commissions that the zoning map for the district be changed and upon the approval of the Board of Commissioners will be taken to the County Delegation for official adoption. Then the DD-P shall be designated on the zoning map for the district. Simultaneously with such approval, a Concept Plan Permit will be issued. The Concept Plan Permit may contain such reasonable conditions as the Board deems appropriate and will specify the conditions for approval of the Final Development Plan. The terms of the Concept Plan Permit will be in writing and shall be deemed to be incorporated in the DD-P.

B. If, after weighing all the evidence, the Board finds the submission does not meet the criteria established above for its approval, the application shall be denied and the reasons for the denial shall be stated in writing.

C. Within a maximum of 18 months following a Board's decision to designate an area as a DD-P, the applicant shall file a Final Development Plan containing in detailed form the information required in the Board's site plan review regulations. At its discretion, and for good cause shown, the Board may extend the deadline for filing of the Final Development Plan. The time period of the extension will be determined by the Board.

D. If the applicant fails for any reason to apply for final approval by submitting a Final Development Plan within the prescribed time, the DD-P designation shall be deemed revoked and the original district or subdistrict(s) shall again apply.

E. Application fee: The application fee established by the Board will be submitted with the Concept Plan. Credit for this fee will be allowed against the fee required at the Final Development Plan stage.

F. A Concept Plan submitted to the Board is not transferable from one owner to another.

4.08 RESIDENTIAL DEVELOPMENT SUBDISTRICT (DD-R): The purpose of the DD-R is to set aside certain broad areas for residential use so as to provide for residential activities apart from broad areas of commercial development. The intention is to encourage the concentration of residential type development in and adjacent to existing residentially developed areas; however, not all areas of land within the DD-R are necessarily acceptable for residential use.

(a) Uses Allowed Without A Permit: The following uses shall be allowed without a permit from the Board within a DD-R:

1. Residential units within an approved subdivision;
2. Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tenting and camping at remote camping sites, canoe portaging, cross country skiing and snowshoeing, excluding hunting and trapping;
3. Motorized vehicular traffic on roads and trails, and snowmobiling;
4. Trails, provided they are constructed and maintained as to reasonably avoid sedimentation of water bodies;
5. Wildlife and fishery management practices;
6. Road projects;
7. Mineral exploration activities;
8. Surveying and other resource analysis;
9. Signs;
10. Service drops;
11. Agricultural management activities;
12. Forest management activities;

(b) Uses Requiring a Permit: The following uses may be allowed with a DD-R upon issuance of a permit from the Board:

1. Residential: Dwelling units and subdivisions;
2. Public and Institutional: Places of worship, public, private and parochial schools; day nurseries, cemeteries, and public parks and recreation areas; police and fire protection facilities; utility facilities compatible with residential uses other than service drops;
3. Campsites;
4. Mineral extraction activities;
5. Other structures, uses or services which the Board determines are consistent with the purposes of this subdistrict and of the Master Plan and are not detrimental to the resources and uses they protect.

(c) Prohibited Uses: All uses not expressly allowed, with or without a permit, shall be prohibited in an DD-R.

4.09 NON-JURISDICTIONAL DISTRICTS (NJD): The purpose of a NJD is to indicate those lands owned by either the federal or state governments and over which the Board has no land use control.

4.10 ZONING MAPS: Each Unincorporated Place has a zoning map on which the various districts and subdistricts are delineated and such maps are a part of this Ordinance.

4.11 INTERPRETATION OF DISTRICT BOUNDARIES: Where any uncertainty exists with respect to the boundary of any district shown on the Zoning Map, the following rules shall apply:

(a) Where a boundary is indicated as a highway, street, railroad, watercourse, or municipal boundary, it shall be construed to be the center line thereof or such Town Boundary.

(b) Where a boundary is indicated as approximately parallel to a highway, street, railroad, watercourse or Town Boundary, it shall be construed as parallel thereto and such distance from the center line thereof as shown on the Zoning Map.

(c) If no dimension is given on the Zoning Map, the location of any boundary shall be determined by use of the scale shown on the Zoning Map.

(d) Where a boundary coincides within ten (10) feet or less with a lot line, the boundary shall be construed to be the lot line.

(e) The Board of Adjustment shall resolve all boundary questions not covered by (a) through (d) above.

4.12 INTERPRETATION OF THE ORDINANCE: The following shall apply to all uses in all Districts and Subdistricts except as otherwise provided:

(a) The description of permitted uses herein does not authorize any person to trespass, infringe upon or injure the property of another, and does not relieve any person of the necessity of complying with other applicable Federal, State or local laws and regulations.

(b) Accessory uses and structures, which are permitted in a district or subdistrict, shall be required substantially to conform to the requirements for the principal use or structure to which they relate.

(c) Where new development is proposed near existing towns, the Board may choose to work with abutting communities

to assure that development is compatible with their Master Plans.

(d) Where two or more protection subdistricts apply to a single land area, the combination of the more protective standards for each subdistrict shall apply.

Article V: GENERAL LAND USE STANDARDS

This Section contains land use standards for the following land use activities:

5.01 Mineral Extraction
5.02 Timber Harvesting
5.03 Pesticide Application
5.04 Sewage Disposal
5.05 Water Impoundments
5.06 Wetlands

The documents referenced in this section and laws of the State of New Hampshire are usually available at law libraries throughout the state, law offices within the state or from law book publishers such as Equity Publishing Corporation, Orford, NH 03777.

5.01 MINERAL EXTRACTION: The Board supports and adopts the provisions of state statute chapter 155-E as it applies to mining and reclamation of minerals.

5.02 TIMBER HARVESTING: The Board supports and adopts the provisions of state statute chapter 224 and other appropriate state laws and regulations as they apply to timber harvesting.

5.03 PESTICIDE APPLICATION: The Board supports and adopts the provisions of state statute chapter 430:28 et seq as it applies to pesticide application.

5.04 SEWAGE DISPOSAL: The Board supports and adopts the provisions of state statute chapter 485-A:29 et seq as it applies to sewage disposal systems.

5.05 WATER IMPOUNDMENTS: The Board supports and adopts the provisions of state statute chapter 482 and other appropriate state laws and regulations as they apply to water impoundments.

5.06 WETLANDS: The Board supports and adopts the provisions of state statute chapter 482-A and other appropriate state laws and regulations as they apply to wetlands.

Article VI: STANDARDS FOR EARTH AND CONSTRUCTION AGGREGATE EXCAVATION

While the Board supports State Statute 155-E as it applies to mining and mineral extraction, the following regulations and plan requirements shall apply to commercial earth and construction aggregate excavation where removal is more than 150 cubic yards per month and will require a permit from the Board.

6.01 PLAN REQUIREMENTS:

a. Location map of property on which commercial extraction activity will occur.
b. Delineation of the areas to be excavated, topography, existing vegetation, and waterways.
c. Description and volume of resources to be excavated on a year to year basis not to exceed ten (10) years.
d. Map and description of necessary roads, accessways, buildings, machinery and structures proposed.
e. Depth to seasonal high and average water tables.
f. Provisions for safety, traffic flow and visual screening.
g. Provisions for removal or storage of debris.
h. Provisions for continuous slope stability.
i. Provisions for sediment and erosion control.
j. A plan for the final site reclamation which shall show detailed information on topography, revegetation, drainage, stability and soil characteristics.

The Plan shall be developed in consultation with the Board and any certified engineer or surveyor. Informal and non-binding meetings may be held for the purpose of developing a responsible plan.

6.02 LAND USE STANDARDS:

a. A buffer zone of two hundred (200) feet shall be maintained between any permitted activity, public rights-of-way and adjacent properties.
b. A buffer zone of one hundred fifty (150) feet shall be maintained between any body of water.
c. No slopes steeper than one vertical to two horizontal shall be allowed to exist for more than five (5) consecutive days except those allowed under RSA 155-E relative to exposed rock ledge.
d. No activity shall be allowed lower than two (2) feet above the seasonal high water table.
e. No activity such as rock crushing, rock drilling or dynamite will be allowed to infringe on any adjacent activity or population's quality of view, noise, or air within one thousand (1000) feet of the property line.
f. Reapplication, if applicable, will occur on the tenth anniversary of the original permit.

6.03 DECISION PROCESS:

The Board shall make a decision based upon the following considerations:

a. Public safety;
b. Noise and air pollution;
c. Traffic related problems;
d. Water quality;
e. Water supply;
f. Slope stability;
g. Impact on adjoining land use; and
h. Visual impact.

6.04 APPLICABILITY:

These regulations apply to excavation, grading, filling or removal of any earth resources or construction aggregate. Such activity occuring on a lot for which a building permit has been issued is exempt when it involves a volume of less than 1000 yards or when the volume of material is used only on that property.

Article VII: DIMENSIONAL REQUIREMENTS

The following dimensional requirements shall apply to all lots on which the building development is proposed unless otherwise provided by other subsections.

7.01 MINIMUM LOT SIZE:

In the absence of the municipal sewerage facilities, minimum lot sizes within all subdivisions shall, in addition to meeting the requirements of the zoning ordinance for the district wherein the subdivision is proposed, also meet the lot size requirements specified in Table 1 "Minimum Lot Size by Soil Type".

This requirement is subject to the following qualifications:

(a) Where more than one soil type is found on a lot, a weighted average of those soils occurring on the lot shall be used to determine the minimum lot size. HISS data may be required by the Planning Board.

In the case of the Cluster Subdivisions, the overall density of lots for development within the parcel shall be determined by using Table 1 and computing a weighted average of all soils (excluding wetlands) found in the parcel proposed for subdivision. One additional lot shall be permitted for each four (4) acres of poorly drained soil. Each lot will not exceed four (4) bedrooms.

(b) Wetlands may be used as a part of the computed lot size according to the following:

1. Areas designated as poorly drained soil may be utilized to fulfill 25% of the minimum lot size required by this ordinance and the subdivision regulations, provided that the non-wetland area is sufficient in size and configuration to adequately accommodate all required utilities such as sewage disposal and water supply, including primary and auxiliary leach field locations.

2. Areas designated as very poorly drained fresh water marsh or alluvial soils may not be utilized to fulfill maximum lot size.

3. No subsurface waste water disposal system shall be constructed within 50 feet of Hydric B Soils and 75 feet of Hydric A Soils.

(c) In subdivisions where a community/municipal water supply and/or community wastewater system is to be provided, minimum lot sizes may be reduced by 33 1/2%

of the minimum requirements as stated in Table 1.

(d) Minimum lot sizes for residential developments with greater than four (4) bedrooms per unit and for commercial and industrial developments shall be determined as follows:

1. For residential use with five (5) or more bedrooms per unit, the minimum lot size shall be proportionately larger than the lot size indicated in Table 1 as determined by the formula:

$$\text{Lot Size (Sq.Ft)} = \frac{\text{No. of Bedrooms} \times \text{(Lot size from Table 1)}}{4}$$

2. For duplex use, this lot size shall be increased by 50% of the minimum lot size as determined by Table 1.

3. For commercial or industrial uses, lot size will be determined by the formula:

$$\text{Lot Size (Sq.Ft.)} = \frac{\text{Gal. of Wastewater/Day} \times \text{Lot Size from Table 1}}{1837 \text{ (gpd/40,000 ft.)}} + \text{Land Required for well radius}$$

Gallons of wastewater discharged per day shall be determined from the "Unit Design for Flow Figures" table of the New Hampshire Water Supply and Pollution Control Commission publication, Guide for the Design, Operation and Maintenance of Small Sewage Disposal Systems, January, 1978, as amended.

4. Final site plan approval for industrial development which is of such nature or character as to require state or federal permits for pre-treatment and discharge or subsurface disposal shall not be granted until such permits are secured. The conditions upon which such permits are issued shall comply with state and local regulations and be made part of the record before the Planning Board.

(e) Determination of soil type:

1. Tests for determining soil information for use in this section shall be performed by a qualified soil scientist using existing soil data with on-site inspections as necessary.

2. Soil data using the standards of the National Cooperative Soil Survey shall be provided as a part of the subdivision plan at the scale and

dimensions required. Any cover letters or explanatory data provided by the qualified soil scientist shall also be submitted.

3. Such tests shall be performed with the advice and under the direction of the Planning Board or its designated agent.

4. All costs of performing such investigations shall be borne by the subdivider.

7.02 MINIMUM SHORELINE FRONTAGE:

(a) For lots fronting on flowing water draining more than 2 square miles, or a body of standing water, the minimum shoreline frontage shall be:

1. Two hundred (200) feet per dwelling per unit for residential uses, and
2. Two hundred (200) feet for commercial, industrial, and other non-residential uses involving one or more buildings;

(b) The shoreline shall be the normal high water mark of an inland wetland as defined in Section 3.99 of this Ordinance.

(c) Frontage shall be measured in a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline.

7.03 MINIMUM ROAD FRONTAGE:

(a) The minimum road frontage shall be:

1. Two hundred (200) feet per dwelling unit for residential uses, and,

2. Two hundred (200) feet for commercial, industrial and other non-residential uses involving one or more buildings;

(b) These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for access to remote camps.

(c) Where the lot is located at the end of a road or on a circular turnaround with an outside diameter of less than 25 feet, the road frontage requirements shall not apply.

(d) Frontage shall be measured along the right of way between the points of intersection of side lot lines.

7.04 MINIMUM SETBACKS:

(a) The minimum setbacks for single family detached dwelling units shall be:

1. One hundred (100) feet from the nearest shoreline;

2. Seventy-five (75) feet from the edge of the right of way;

3. Twenty-five (25) feet from the side and rear property lines.

(b) The minimum setbacks for multiple family dwelling unit housing and commercial, industrial, and other non-residential buildings shall be:

1. One hundred (100) feet from the nearest shoreline;

2. Seventy-five (75) feet from the centerline of all roadways; and

3. Twenty-five (25) feet from the side and rear property lines.

(c) "Setback" shall mean the minimum horizontal distance from the lot line, shoreline, or road to the nearest part of the building.

(d) The shoreline shall be the normal high water mark of an inland wetland.

(e) These requirements apply to any privately or publicly owned road that is used for public access.

(f) With respect to garages accessory to residential uses, the minimum road setback shall be seventy-five (75) feet.

7.05 MAXIMUM LOT COVERAGE:

(a) The maximum lot coverage shall be thirty percent (30%) for all uses involving one or more buildings.

(b) "Coverage" shall be calculated by determining the percentage of lot area covered by all structures.

7.06 MAXIMUM BUILDING HEIGHT:

(a) The maximum building height shall be:

1. Thirty-five (35) feet for residential uses; and

2. Thirty-five (35) feet for commercial, industrial, and other non-residential uses involving one

or more buildings.

(b) Features of buildings which contain no floor area such as chimneys, towers, ventilators and spires may exceed these maximum heights with the Board's approval.

7.07 DIMENSIONAL REQUIREMENTS WAIVERS:

(a) Where an applicant proposes a cluster form of development satisfactory to the Board, including multiple family attached housing, the Board may reduce shoreline and/or road frontage requirements by an amount it deems appropriate, but not more than 50%.

(b) The dimensional requirements applicable to DD-P Developmental Subdistricts shall be established by the Board.

(c) Notwithstanding any other provision of these regulations, in a proposed subdivision, or in other areas where there is or is likely to be relatively dense development, the Board may increase the minimum lot size required where the Board determines:

1. That such a larger size lot is required to provide sufficient area of suitable soil to accommodate the principal building and accessory structures, the on-site subsurface sewage disposal facility, a site for an alternative on-site subsurface sewage disposal system, and all applicable setback and other requirements for structures and disposal systems, and

2. Where the site proposed by the applicant has soils or is in an area where ground water contamination may occur, that the density of development in the vicinity of the proposed site may be greater than the density allowed pursuant to subsections 7.01 through 7.06 of these dimensional requirements.

(d) An exception may be made to the shoreline and/or road setback requirements for buildings where the Board finds that:

1. Such buildings must be located near to the shoreline or road due to the nature of their use; or

2. There is a concentration of other similar legally existing buildings in the immediate vicinity which are located nearer to the shoreline or road than the setback requirements allow. No exception will be granted unless the applicant shows that the siting, color, configuration, height, size, and

other design elements of such buildings will fit harmoniously into the surrounding natural and man-made environment, and that the construction and use of such buildings will not adversely affect water quality.

Article VIII: SIGNS

This section contains sign standards for the Unincorporated Places. NO SIGN SHALL BE ERECTED WITHOUT A PERMIT.

8.01 ON-PREMISES SIGNS: Subject to the provisions of this Chapter, owners or occupants of real property may erect and maintain on-premise signs advertising the sale or lease thereof or activities being conducted thereon. Such signs, except roof signs, shall be subject to the regulations set forth below.

(a) On-premise signs shall not exceed in size the area limitations set forth below:

District/Subdistricts	Maximum Size for Each Individual Sign (sq.ft.)	Maximum Aggregate Area of all Signs for Facility Being Advertised (sq.ft.)
DD-G, DD-P, DD-R, MD	100	100
All PD subdistricts	6	12

(b) On-premise signs shall not be located more than 1,000 ft. from the building or other particular site at which the activity advertised is conducted;

(c) Signs advertising the sale or lease of real estate by the owner or his agent shall not have an area of more than 6 sq. ft., except signs advertising a subdivision which shall be limited in size as provided by Subsection (a);

(d) On-premises signs, other than wall or projecting signs, shall not extend more than 15 ft. above ground level, and shall not have a supporting structure which extends more than two feet above such sign;

(e) Projecting signs must be at least 9 feet above pedestrian level and may project no more than 2 feet from the building; and

(f) Signs attached to a wall shall not extend above the top of the wall.

On-premise signs, including all roof signs, which are not in conformance with the preceding requirements may be allowed only under the provisions of a permit from the Board.

8.02 CRITERIA FOR SIGN APPROVAL: In approving, conditionally approving, or denying any application for a sign permit, the Board shall require that the applicant demonstrate that the proposed sign complies with the following:

(a) that the sign is compatible with the overall design of

the building height, color, bulk, materials and other design and occupancy elements;

(b) that the color, configuration, height, size, and other design elements of the sign will fit harmoniously into the surrounding natural and man-made environment;

(c) that the sign will not constitute a hazard to the flow of traffic; and

(d) that the applicant sufficiently demonstrates the need for any non-conformity with the size, height, and other limitations.

8.03 EXEMPT SIGNS: The following signs are exempt from the requirements of this Chapter:

(a) Signs identifying stops or traffic limits of common carriers;

(b) Signs erected and maintained outside the highway right-of-way, by a governmental body, showing places of interest (other than commercial establishments), the place and time of services or meetings of churches and civic organizations. Not more than two such signs may be erected and maintained which are readable by traffic proceeding in any one direction on any one highway in any one unincorporated place;

(c) Residential directional signs, each of which does not exceed 4 sq.ft. in area, along roadways other than limited access highways;

(d) Traffic control signs or devices;

(e) Signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas, property boundaries, trails, fire precautions, campsites, or the like, with a total surface area not exceeding 12 sq. ft. This exemption shall not apply to signs, visible from any public roadway, promoting or advertising commercial enterprises;

(f) Signs to be maintained for not more than six weeks announcing an auction, public supper, lawn sale, campaign drive or other like event of a public, civic, philanthropic or religious organization;

(g) Signs erected by fairs and/or expositions for a period not to exceed six weeks;

(h) Directional signs visible from a public roadway with a total surface area not to exceed 4 sq. ft. providing directions to places of business offering for sale

agricultural products harvested or produced on the premises where there the sale is taking place;

(i) Signs displayed in building windows, provided that the aggregate area of such signs does not exceed 25% of the area of the window; and

(j) Official business directional signs.

The preceding dimensional and/or time limitations may be exceeded only under the provisions of a permit from the Board.

8.04 REGULATIONS APPLYING TO ALL SIGNS: Notwithstanding any other provisions of this Chapter, no sign may be erected or maintained visible from a public roadway which;

(a) Interferes with, imitates or resembles any official traffic control sign, signal or device, or attempts or appears to attempt, to direct the movement of traffic;

(b) Prevents the driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic;

(c) Contains, includes, or is illuminated by any flashing, intermittent or moving lights, moves or has any animated or moving parts, except that this restriction shall not apply to a traffic control sign;

(d) Has any lighting, unless such lighting is shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of roadway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the operation thereof;

(e) Is in violation of, or at variance with, any federal law or regulation, including, but not limited to, one containing or providing for conditions to, or affecting the allocation of federal highway or other funds to or, or for the benefit of, the State or any political subdivision thereof, or conflicts with the NH Statute RSA 236:69 to 236.90;

(f) Is in violation of, or at variance with, any other applicable State law or regulation;

(g) Advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities;

(h) Is not clean or in good repair;

(i) Is not securely affixed to a substantial structure; or

(j) Spelling and grammar shall be correct with exceptions made for trade names and/or slogans.

Any sign which is a combination of exempt and/or non-exempt signs shall be regulated by the most protective standards applicable.

Article IX: NON-CONFORMANCE

9.01 RIGHT TO CONTINUE: Any legal use that exists at the effective date of this Ordinance but which would not be permitted under the provisions herein shall be allowed to continue as a legal nonconforming use.

9.02 REBUILDING AFTER CATASTROPHE: Any nonconforming use that is destroyed may be rebuilt to its former extent of non conformance within a one (1) year period.

9.03 ABANDONMENT: Any nonconforming use that is discontinued or abandoned for a period of one (1) year or more cannot be resumed but can be replaced by a conforming use.

Article X: ADMINISTRATION AND ENFORCEMENT

10.01 ADMINISTRATIVE OFFICIAL: It shall be the duty of an appointed Inspector to administer and enforce the provisions of this Ordinance. Appointment will be made by the Board of County Commissioners.

10.02 PERMIT REQUIRED: It shall be unlawful for any person to erect, construct, reconstruct, or alter a structure without applying for and receiving from the County a building permit. It shall be unlawful for any person to change the use or lot coverage, or extend or displace the use of any building, structure or lot without applying for and receiving from the County a use permit.

Application forms for Building Permits shall be accompanied by a plot plan showing all lot and required yard dimensions, the site and location of all buildings and uses, driveway locations, and all other such information as may be required by the County to process said applications. The proposed handling of water supply and sewerage disposal shall be described on all applications, shown on the plot plan, and accompanied by all required approval permits from the State.

10.03 PREVIOUSLY APPROVED PERMIT: Nothing in this Ordinance shall require changes in the plans, construction and/or use of any structure and/or lot for which a lawful permit has been issued or otherwise lawfully authorized within one (1) year before the effective date of this Ordinance, provided such construction or use shall be actively started within sixty (60) days and completed within one (1) year of the effective date of this Ordinance.

10.04 CERTIFICATE OF USE AND OCCUPANCY REQUIRED: It shall be unlawful to occupy any structure or lot for which a building permit is required herein unless the owner has applied for and received from the County a certificate of use and/or occupancy. This form will be completed by the County. Certificate of Occupancy shall be issued when a project is in conformance with the ordinance and any conditions attached to a permit by the Planning Board. Failure of the County to act within ten (10) days of receipt of a completed application shall be considered approval.

The certificate of occupancy shall state that the building and use comply with the provisions of the Zoning Ordinance in effect at the time of issuance. No such certificate shall be issued unless the building and its use and its accessory uses of all premises are in conformity with the provisions of this Ordinance at the time of issuance. A certificate of occupancy shall be conditional on the adequacy of parking space and other facilities as required by this Ordinance and shall lapse

upon a finding by the Board that such areas and facilities are used for other purposes.

A certificate of occupancy shall be required for any of the following in conformity with this Ordinance:

(a) Occupancy and use of a building hereafter erected after the effective date of this ordinance or structural alteration requiring a building permit.

(b) Change in use of an existing building or land to a use of a different zoning classification whether or not said use is permitted by right.

Certificate of occupancy may be applied for coincidentally with the application for a building permit, and shall be issued within ten (10) days after, not before, the lawful erection or alteration of the building is complete. Such Certificate of Occupancy shall be posted by the owner of the property in a conspicuous place for a period of not less then ten (10) days after issuance.

10.05 PERMIT AND CERTIFICATE FEES: Fees shall be established by the County.

10.06 PERMIT TIME LIMITS: Any work for which a permit has been issued by the County for the construction of buildings shall be actively started within one (1) year. Failure to actively start work within this time limitation shall result in a lapse of the permit. All work for which the permit has been issued by the County shall be completed within two (2) years of the date of the issuance of the permit, provided that any permit issued for a project which actively started for one (1) year shall be extended at the discretion of the County.

10.07 VIOLATIONS: The County shall serve the NOTICE OF VIOLATION AND ORDER to any owner or person responsible for the erection, construction, reconstruction, conversion, alteration of a structure or change in use, increase in intensity of use, or extension or displacement of use of any structure or lot in violation of any approved plan, information or drawing pertinent thereto; or in violation of a permit or certificate issued under the provisions of this Ordinance, and such order shall direct the immediate discontinuance of this unlawful action, use or condition and the abatement of the violation. Any owner who has been served with a Notice and ceased any work or other activity, shall not leave any structure or lot in such a condition as to be a hazard or menace to the public safety, health, morals or general welfare.

10.08 PROSECUTION OF VIOLATION: If any NOTICE OF VIOLATION AND ORDER is not complied with promptly, the County shall institute the appropriate action or proceeding of law or

in equity to prevent any unlawful action, use or condition and to restrain, correct or abate such violation.

10.09 PENALTY: Any person violating any of the provisions of this Ordinance shall for each violation, upon conviction thereof, pay fines and penalties as authorized in N.H. RSA 676:17. All penalties authorized by RSA 676:17 are hereby incorporated into this Ordinance.

Article XI: BOARD OF ADJUSTMENT

11.01 MEMBERSHIP: Members of the Zoning Board of Adjustment and alternates shall be selected by the Board of County Commissioners after the effective date of this Ordinance.

11.02 OATH OF OFFICE: Members of the Zoning Board of Adjustment shall take an appropriate oath of office as required by RSA 42:1. The County records shall clearly show the dates of appointments and expiration of the terms. Appointments made to fill unexpired terms shall be for the remainder of the term. State law further requires county residency for Board members.

11.03 POWERS AND DUTIES: The Board of Adjustment shall have the powers and duties prescribed by RSA 674:33.

11.04 ORGANIZATION: RSA 673:8 The Board shall elect its chairman from its members and may create other offices as it deems necessary. The term of every officer and chairman elected shall be one (1) year. Both chairman and officers shall be eligible for re-election.

11.05 PROCEDURES: RSA 676:1 The Board shall adopt rules of procedure concerning the method of conducting its business. Rules of procedure shall be adopted at a regular meeting of the Board and shall be placed on file with the County Register of Deeds for public inspection.

11.06 APPEALS: RSA 676:5-7

(a) All appeals and applications made to the Board of Adjustment shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provisions of the Ordinance involved, and shall exactly set forth the interpretation that is claimed, the use for which the special permit is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

(b) Public hearings and notice shall be held in compliance with RSA 676:7.

(c) Every decision of the Board of Adjustment shall be by resolution, each of which shall contain a full record of the findings of the Zoning Board of Adjustment in the particular case.

11.07 SUBSEQUENT APPLICATIONS: When an application is submitted, the files should be reviewed to determine if a previous application was denied for the same situation. If so, the Board should determine if circumstances have changed sufficiently to warrant acceptance of a reapplication.

Article XII: VARIANCES

A variance is a relaxation or setting aside in a specific case, of certain specified terms of this ordinance. In accordance with RSA 674:33 I(b), the Board of Adjustment may grant in specific cases such variances as will not be contrary to the public interest owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

12.01 SPECIFIC REQUIREMENTS:

The Board of Adjustment may authorize a variance where it finds that all of the following conditions apply:

a. The proposed use will not diminish surrounding property values;
b. Granting the variance will be in the public interest;
c. The use will not be contrary to the spirit of the ordinance;
d. By granting the variance substantial justice will be done;
e. Denial of a variance would result in unnecessary hardship to the owner.

12.02 APPLICATION:

Before applying for a variance, the applicant shall submit to the Zoning Board of Adjustment a determination that the proposed use is not permitted without a variance. This determination may take any of the following forms:

a. A building permit denial;
b. A notification in writing from the Planning Board that it lacks jurisdiction to grant a site plan or subdivision approval;
c. A notification in writing from the County Commissioners, an Historic Commission or other cognizant county board or official that the proposed use does not conform to the ordinance.

The application process shall follow the standards in Article XI of this ordinance.

12.03 APPLICATION DISPOSITION:

The Zoning Board of Adjustment may approve, approve with conditions, or deny applications for variances following the procedures in Article XI of this ordinance.

12.04 REHEARINGS:

Within twenty (20) days after any decision or order of the Zoning Board of Adjustment, any party to the action or proceeding, or

any person directly affected thereby, may apply for a rehearing in respect to any matter determined in the action or proceeding or covered or included in the order in accord with RSA 677:2. A Motion for Rehearing shall set forth fully every ground upon which it is claimed that the decision or order complained of is unlawful or unreasonable. No appeal from any order or decision of the Zoning Board of Adjustment shall be taken unless the applicant shall have made application for rehearing as provided in RSA 677:2 and no ground not set forth in the application shall be urged, relied on, or given any consideration by a court except as provided in RSA 677:3. The Board of Adjustment shall, within 10 days after a Motion for Rehearing is filed, either grant or deny the motion or suspend the order or decision complained of pending further consideration.

Article XIII: MISCELLANEOUS LEGAL PROVISIONS

13.01 AMENDMENT: Amendments to regulations and district boundaries set forth in this Ordinance proposed by the Planning Board, County Commissioners or petition of voters shall be acted upon in accordance with the procedures set forth in RSA 675.

13.02 VALIDITY: Should any provision of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any other section or provision thereof.

13.03 CONFLICT WITH OTHER LAWS: Whenever the requirements of this Ordinance conflict with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or higher standards shall apply.

13.04 EFFECTIVE DATE: The Ordinance and Map shall become effective immediately upon its passage on April 20, 1991.

MINIMUM LOT SIZE BY SOIL TYPE COOS COUNTY

musys	muname	lot size
G	Medomak Variant silt loam	VP
15	Searsport fine sandy loam	VP
22A	Colton fine sandy loam, 0 to 3 percent slopes	40,000
22B	Colton fine sandy loam, 3 to 8 percent slopes	40,000
22C	Colton fine sandy loam, 8 to 15 percent slopes	45,000
22E	Colton gravelly fine sandy loam, 15 to 60 percent slopes	N/A
23A	Masardis fine sandy loam, 0 to 3 percent slopes	40,000
23B	Masardis fine sandy loam, 3 to 8 percent slopes	40,000
23C	Masardis fine sandy loam, 8 to 15 percent slopes	45,000
23E	Masardis gravelly sandy loam, 15 to 60 percent slopes	N/A
27A	Groveton very fine sandy loam, 0 to 3 percent slopes	40,000
27B	Groveton very fine sandy loam, 3 to 8 percent slopes	40,000
27C	Groveton very fine sandy loam, 8 to 15 percent slopes	45,000
28A	Madawaska very fine sandy loam, 0 to 3 percent slopes	60,000
28B	Madawaska very fine sandy loam, 3 to 8 percent slopes	60,000
36A	Adams loamy sand, 0 to 3 percent slopes	40,000
36B	Adams loamy sand, 3 to 8 percent slopes	40,000
36C	Adams loamy sand, 8 to 15 percent slopes	45,000
36E	Adams loamy sand, 15 to 60 percent slopes	N/A
54B	Hermon sandy loam, 3 to 8 percent slopes	40,000
54C	Hermon sandy loam, 8 to 15 percent slopes	45,000
54D	Hermon sandy loam, 15 to 25 percent slopes	60,000
55B	Hermon sandy loam, 3 to 8 percent slopes, very stony	40,000
55C	Hermon sandy loam, 8 to 15 percent slopes, very stony	45,000
55D	Hermon sandy loam, 15 to 25 percent slopes, very stony	60,000
55E	Hermon sandy loam, 25 to 35 percent slopes, very stony	N/A
56B	Becket fine sandy loam, 3 to 8 percent slopes	50,000
56C	Becket fine sandy loam, 8 to 15 percent slopes	75,000
56D	Becket fine sandy loam, 15 to 25 percent slopes	100,000
57B	Becket fine sandy loam, 3 to 8 percent slopes, very stony	50,000
57C	Becket fine sandy loam, 8 to 15 percent slopes, very stony	75,000
57D	Becket fine sandy loam, 15 to 25 percent slopes, very stony	100,000
57E	Becket fine sandy loam, 25 to 35 percent slopes, very stony	N/A
58E	Waumbek sandy loam, 3 to 8 percent slopes	50,000
58C	Waumbek sandy loam, 8 to 15 percent slopes	75,000
59B	Waumbek sandy loam, 3 to 8 percent slopes, very stony	50,000
59C	Waumbek sandy loam, 8 to 15 percent slopes, very stony	75,000
59D	Waumbek sandy loam, 15 to 25 percent slopes, very stony	100,000
70B	Tunbridge-Berkshire complex, 3 to 8 percent slopes	60,000
70C	Tunbridge-Berkshire complex, 8 to 15 percent slopes	80,000
70D	Tunbridge-Berkshire complex, 15 to 25 percent slopes	120,000
71B	Lyman-Berkshire-Rock outcrop complex, 3 to 8 percent slopes	80,000
71C	Lyman-Berkshire-Rock outcrop complex, 8 to 15 percent slopes	100,000
71D	Lyman-Berkshire-Rock outcrop complex, 15 to 25 percent slopes	160,000
71E	Lyman-Berkshire-Rock outcrop complex, 25 to 35 percent slopes	N/A
72B	Berkshire fine sandy loam, 3 to 8 percent slopes	40,000
72C	Berkshire fine sandy loam, 8 to 15 percent slopes	45,000
72D	Berkshire fine sandy loam, 15 to 25 percent slopes	60,000
73B	Berkshire fine sandy loam, 3 to 8 percent slopes, very stony	40,000
73C	Berkshire fine sandy loam, 8 to 15 percent slopes, very stony	45,000
73D	Berkshire fine sandy loam, 15 to 25 percent slopes, very stony	60,000
73E	Berkshire fine sandy loam, 25 to 35 percent slopes, very stony	N/A
76B	Marlow fine sandy loam, 3 to 8 percent slopes	50,000
76C	Marlow fine sandy loam, 8 to 15 percent slopes	75,000
76D	Marlow fine sandy loam, 15 to 25 percent slopes	100,000
77B	Marlow fine sandy loam, 3 to 8 percent slopes, very stony	50,000
77C	Marlow fine sandy loam, 8 to 15 percent slopes, very stony	75,000

77D	Marlow fine sandy loam, 15 to 25 percent slopes, very stony	100,000
77E	Marlow fine sandy loam, 25 to 35 percent slopes, very stony	N/A
78B	Peru fine sandy loam, 3 to 8 percent slopes	60,000
78C	Peru fine sandy loam, 8 to 15 percent slopes	90,000
79B	Peru fine sandy loam, 3 to 8 percent slopes, very stony	60,000
79C	Peru fine sandy loam, 8 to 15 percent slopes, very stony	90,000
79D	Peru fine sandy loam, 15 to 25 percent slopes, very stony	120,000
101	Ondawa fine sandy loam	N/A
102	Sunday loamy sand	N/A
104	Podunk fine sandy loam	N/A
105	Rumney fine sandy loam	PD
142B	Monadnock fine sandy loam, 3 to 8 percent slopes	40,000
142C	Monadnock fine sandy loam, 8 to 15 percent slopes	45,000
142D	Monadnock fine sandy loam, 15 to 25 percent slopes	60,000
143B	Monadnock fine sandy loam, 3 to 8 percent slopes, very stony	40,000
143C	Monadnock fine sandy loam, 8 to 15 percent slopes, very stony	45,000
143D	Monadnock fine sandy loam, 15 to 25 percent slopes, very stony	60,000
143E	Monadnock fine sandy loam, 25 to 35 percent slopes, very stony	N/A
145C	Monadnock fine sandy loam, 8 to 15 percent slopes, extremely bouldery	45,000
154B	Success gravelly loamy coarse sand, 3 to 8 percent slopes	40,000
154C	Success gravelly loamy coarse sand, 8 to 15 percent slopes	45,000
154D	Success gravelly loamy coarse sand, 15 to 25 percent slopes	60,000
155B	Success gravelly loamy coarse sand, 3 to 8 percent slopes, very stony	40,000
155C	Success gravelly loamy coarse sand, 8 to 15 percent slopes, very stony	45,000
155D	Success gravelly loamy coarse sand, 15 to 25 percent slopes, very stony	60,000
155E	Success gravelly loamy coarse sand, 25 to 35 percent slopes, very stony	N/A
156C	Success gravelly loamy coarse sand, 8 to 15 percent slopes, extremely bouldery	45,000
168B	Sunapee fine sandy loam, 3 to 8 percent slopes	50,000
168C	Sunapee fine sandy loam, 8 to 15 percent slopes	75,000
169B	Sunapee fine sandy loam, 3 to 8 percent slopes, very stony	50,000
169C	Sunapee fine sandy loam, 8 to 15 percent slopes, very stony	75,000
169D	Sunapee fine sandy loam, 15 to 25 percent slopes, very stony	100,000
195	Borofibrists	VP
199	Dumps, bark chips and organic material	OS
208	Fryeburg very fine sandy loam	N/A
209	Charles silt loam	PD
214A	Naumburg fine sandy loam, 0 to 3 percent slopes	PD
214B	Naumburg fine sandy loam, 3 to 8 percent slopes	PD
260B	Lombard-Winnecock complex, 3 to 8 percent slopes	50,000
260C	Lombard-Winnecock complex, 8 to 15 percent slopes	75,000
260D	Lombard-Winnecock complex, 15 to 25 percent slopes	100,000
260E	Lombard-Winnecock complex, 25 to 60 percent slopes	N/A
273E	Berkshire, Monadnock, and Hermon soils, 15 to 35 percent slopes, extremely bouldery	N/A
295	Greenwood mucky peat	VP
298	Pits, gravel	OS
309	Lovewell very fine sandy loam	N/A
355C	Hermon sandy loam, 8 to 15 percent slopes, extremely bouldery	45,000
373C	Berkshire fine sandy loam, 8 to 15 percent slopes, extremely bouldery	45,000
395	Chocorua mucky peat	VP
399	Rock outcrop	OS
406	Medomak silt loam	VP
413A	Duane fine sandy loam, 0 tp 3 percent slopes	60,000
413B	Duane fine sandy loam, 3 to 8 percent slopes	60,000
414A	Moosilauke loam, 0 to 3 percent slopes	PD
414B	Moosilauke loam, 3 to 8 percent slopes	PD
415A	Moosilauke loam, 0 to 3 percent slopes, very stony	PD
415B	Moosilauke loam, 3 to 8 percent slopes, very stony	PD
415C	Moosilauke loam, 8 to 15 percent slopes, very stony	PD
433A	Grange silt loam, 0 to 5 percent slopes	PD
495	Ossipee mucky peat	VP
501	Abenaki very fine sandy loam	N/A

504	Metallak very fine sandy loam	N/A
505	Cohas loam	PD
5208	Machias fine sandy loam, 1 to 8 percent slopes	60,000
523A	Stetson fine sandy loam, 0 to 3 percent slopes	40,000
523B	Stetson fine sandy loam, 3 to 8 percent slopes	40,000
523C	Stetson fine sandy loam, 8 to 15 percent slopes	45,000
523E	Stetson fine sandy loam, 15 to 60 percent slopes	N/A
549	Peacham muck, very stony	VP
558B	Skerry fine sandy loam, 3 to 8 percent slopes	60,000
559C	Skerry fine sandy loam, 8 to 15 percent slopes	90,000
558D	Skerry fine sandy loam, 15 to 25 percent slopes	120,000
559B	Skerry fine sandy loam, 3 to 8 percent slopes, very stony	60,000
559C	Skerry fine sandy loam, 8 t 15 percent slopes, very stony	90,000
559D	Skerry fine sandy loam, 15 to 25 percent slopes, very stony	120,000
560B	Winnecook-Plaisted-Thorndike complex, 3 to 8 percent slopes	80,000
560C	Winnecook-Plaisted-Thorndike complex, 8 to 15 percent slopes	100,000
560D	Winnecook-Plaisted-Thorndike complex, 15 to 25 percent slopes	140,000
560E	Winnecook-Plaisted-Thorndike complex, 25 to 35 percent slopes	N/A
561B	Winnecook-Plaisted-Thorndike complex, 3 to 8 percent slopes, very stony	80,000
561C	Winnecook-Plaisted-Thorndike complex, 8 to 15 percent slopes, very stony	100,000
562D	Winnecook-Thorndike-Rock outcrop complex, 15 to 25 percent slopes	160,000
562E	Winnecook-Thorndike-Rock outcrop complex, 25 to 35 percent slopes	N/A
563B	Plaisted silt loam, 3 to 8 percent slopes	50,000
563C	Plaisted silt loam, 8 to 15 percent slopes	75,000
563D	Plaisted silt loam, 15 to 25 percent slopes	100,000
564B	Plaisted silt loam, 3 to 8 percent slopes, very stony	50,000
564C	Plaisted silt loam, 8 to 15 percent slopes, very stony	75,000
564D	Plaisted silt loam, 15 to 25 percent slopes, very stony	100,000
564E	Plaisted silt loam, 25 to 35 percent slopes, very stony	N/A
566B	Howland silt loam, 3 to 8 percent slopes	60,000
566C	Howland silt loam, 8 to 15 percent slopes	90,000
566D	Howland silt loam, 15 to 25 percent slopes	120,000
567B	Howland silt loam, 3 to 8 percent slopes, very stony	60,000
567C	Howland silt loam, 8 to 15 percent slopes, very stony	90,000
567D	Howland silt loam, 15 to 25 percent slopes, very stony	120,000
569A	Monarda silt loam, 0 t 3 percent slopes	PD
569B	Monarda silt loam, 3 to 8 percent slopes	PD
569C	Monarda silt loam, 8 to 15 percent slopes	PD
570A	Monarda silt loam, 0 to 3 percent slopes, very stony	PD
570B	Monarda silt loam, 3 to 8 percent slopes, very stony	PD
570C	Monarda silt loam, 8 to 15 percent slopes, very stony	PD
572B	Bangor silt loam, 3 to 8 percent slopes	40,000
572C	Bangor silt loam, 8 to 15 percent slopes	45,000
572D	Bangor silt loam, 15 to 25 percent slopes	60,000
573B	Bangor silt loam, 3 to 8 percent slopes, very stony	40,000
573C	Bangor silt loam, 8 to 15 percent slopes, very stony	45,000
573D	Bangor silt loam, 15 to 25 percent slopes, very stony	60,000
573E	Bangor silt loam, 25 to 35 percent slopes, very stony	N/A
578B	Dixmont silt loam, 3 to 8 percent slopes	50,000
578C	Dixmont silt loam, 8 to 15 percent slopes	75,000
578D	Dixmont silt loam, 15 to 25 percent slopes	100,000
579B	Dixmont silt loam, 3 to 8 percent slopes, very stony	50,000
579C	Dixmont silt loam, 8 to 15 percent slopes, very stony	75,000
579D	Dixmont silt loam, 15 to 25 percent slopes, very stony	100,000
613B	Croghan loamy fine sand, 1 to 8 percent slopes	60,000
630A	Salmon very fine sandy loam, 0 to 3 percent slopes	40,000
630B	Salmon very fine sandy loam, 3 to 8 percent slopes	40,000
630C	Salmon very fine sandy loam, 8 to 15 percent slopes	45,000
630D	Salmon very fine sandy loam, 15 to 35 percent slopes	60,000
632A	Nicholville very fine sandy loam, 0 to 3 percent slopes	75,000
632B	Nicholville very fine sandy loam, 3 to 8 percent slopes	75,000

632C	Nicholville very fine sandy loam, 8 to 15 percent slopes	100,000
633A	Pemi silt loam, 0 to 5 percent slopes	PD
646A	Pillsbury sandy loam, 0 to 3 percent slopes	PD
646B	Pillsbury sandy loam, 3 to 8 percent slopes	PD
646C	Pillsbury sandy loam, 8 to 15 percent slopes	PD
647A	Pillsbury sandy loam, 0 to 3 percent slopes, very stony	PD
647B	Pillsbury sandy loam, 3 to 8 percent slopes, very stony	PD
647C	Pillsbury sandy loam, 8 to 15 percent slopes, very stony	PD
697	Peacham, Greenwood, and Rumney soils, ponded	VP
701B	Becket-Skerry association, gently sloping, very stony	03
701D	Becket-Skerry association, moderately steep, very stony	03
711B	Monadnock-Hermon association, undulating, very stony	03
711D	Monadnock-Hermon association, hilly, very stony	03
711E	Monadnock-Hermon association, steep, very stony	03
719E	Marlow-Tunbridge association, steep, very stony	03
721D	Peru-Marlow association, moderately steep, very stony	03
726C	Rock outcrop-Lyman complex, strongly sloping	03
726F	Rock outcrop-Lyman complex, very steep	03
727	Rubble land	03
734D	Surplus-Sisk association, moderately steep, very stony	03
736E	Sisk-Glebe association, steep, very stony	03
737B	Surplus-Sisk-Monarda variant association, gently sloping, very stony	03
738B	Glebe-Saddleback-Sisk association, gently sloping, very stony	03
738D	Glebe-Saddleback-Sisk association, moderately steep, very stony	03
738E	Glebe-Saddleback-Sisk association, steep, very stony	03
750B	Saddleback-Glebe-Rickler association, gently sloping, very stony	03
750D	Saddleback-Glebe-Rickler association, moderately steep, very stony	03
750E	Saddleback-Glebe-Rickler association, steep, very stony	03
760B	Winnecook-Plaisted bedrock substratum-Plaisted association, gently sloping, very stony	03
760D	Winnecook-Plaisted bedrock substratum-Plaisted association, moderately steep, very stony	03
762B	Plaisted-Howland association, gently sloping, very stony	03
762D	Plaisted-Howland association, moderately steep, very stony	03
764B	Howland-Plaistow-Monarda association, gently sloping, very stony	03
765B	Monarda-Howland association, gently sloping, very stony	03
767A	Peacham-Ossipee-Monarda association, nearly level, very stony	03
773B	Bangor-Dixmont association, undulating, very stony	03
773D	Bangor-Dixmont association, hilly, very stony	03
779B	Dixmont-Bangor association, undulating, very stony	03
779D	Dixmont-Bangor association, hilly, very stony	03
801E	Becket-Marlow association, steep, very stony	03
803B	Berkshire-Monadnock association, undulating, very stony	03
803D	Berkshire-Monadnock association, hilly, very stony	03
803E	Berkshire-Monadnock association, steep, very stony	03
804B	Berkshire-Monadnock association, undulating, extremely bouldery	03
804D	Berkshire-Monadnock association, hilly, extremely bouldery	03
804E	Berkshire-Monadnock association, steep, extremely bouldery	03
812B	Monadnock-Hermon association, undulating, extremely bouldery	03
812D	Monadnock-Hermon association, hilly, extremely bouldery	03
812E	Monadnock-Hermon association, steep, extremely bouldery	03
817A	Moosilauke-Waumbek association, nearly level, very stony	03
820B	Lyman-Tunbridge-Rock outcrop complex, gently sloping	03
820D	Lyman-Tunbridge-Rock outcrop complex, moderately steep	03
820E	Lyman-Tunbridge-Rock outcrop complex, steep	03
821B	Marlow-Peru association, gently sloping, very stony	03
821D	Marlow-Peru association, moderately steep, very stony	03
823B	Peru-Marlow-Pillsbury association, gently sloping, very stony	03
825B	Pillsbury-Peacham-Peru association, gently sloping, very stony	03
828B	Skerry-Peru association, gently sloping, very stony	03
828D	Skerry-Peru association, moderately steep, very stony	03
829B	Waumbek-Hermon association, undulating, very stony	03
829D	Waumbek-Hermon association, hilly, very stony	03

831A	Peacham-Ossipee-Pillsbury association, nearly level, extremely stony	03
834B	Sisk-Surplus association, gently sloping, very stony	03
834D	Sisk-Surplus association, moderately steep, very stony	03
835C	Ricker-Rock outcrop complex, strongly sloping	03
835F	Ricker-Rock outcrop complex, very steep	03
840B	Canaan-Redstone association, gently sloping, very stony	03
840D	Canaan-Redstone association, moderately steep, very stony	03
841D	Canaan-Redstone-Rock outcrop complex, hilly	03
841E	Canaan-Redstone-Rock outcrop complex, steep	03
860E	Winnecook-Thorndike-Rock outcrop complex, steep	03
862E	Plaisted-Winnecook association, steep, very stony	03
864D	Howland-Plaisted association, moderately steep, very stony	03
865B	Monarda variant-Surplus association, gently sloping, very stony	03
869B		03
873E	Bangor-Winnecook association, steep, very stony	03
911B	Success-Hermon association, undulating, very stony	03
911D	Success-Hermon association, hilly, very stony	03
911E	Success-Hermon association, steep, very stony	03
912B	Success-Hermon association, undulating, extremely bouldery	03
912D	Success-Hermon association, hilly, extremely bouldery	03
912E	Success-Hermon association, steep, extremely bouldery	03
919B	Tunbridge-Lyman-Marlow association, undulating, very stony	03
919D	Tunbridge-Lyman-Marlow association, hilly, very stony	03
919E	Tunbridge-Lyman-Marlow association, steep, very stony	03
922E	Marlow-Tunbridge association, steep, extremely bouldery	03
923B	Marlow-Peru association, gently sloping, extremely bouldery	03
923D	Marlow-Peru association, moderately steep, extremely bouldery	03
969D		03

FOOTNOTES

Lot sizes are in square feet.

N/A - Not allowed (these soils generally occur on flood plains or steep slopes).

PD - Poorly drained soils.

VP - Very poorly drained soils.

OS - On site investigation needed.

03 - Order 3 mapping. More detailed soil survey necessary.

LAND SUBDIVISION REGULATIONS



COÖS COUNTY UNINCORPORATED PLACES

Adopted by Planning Board, September 21, 1988
Amended March 15, 1989

LAND SUBDIVISION REGULATIONS

FOR THE UNINCORPORATED PLACES

OF

COOS COUNTY, NEW HAMPSHIRE

Adopted by Planning Board September 21, 1988
Amended March 15, 1989

LAND SUBDIVISION REGULATIONS

FOR THE UNINCORPORATED PLACES

OF

COOS COUNTY, NEW HAMPSHIRE

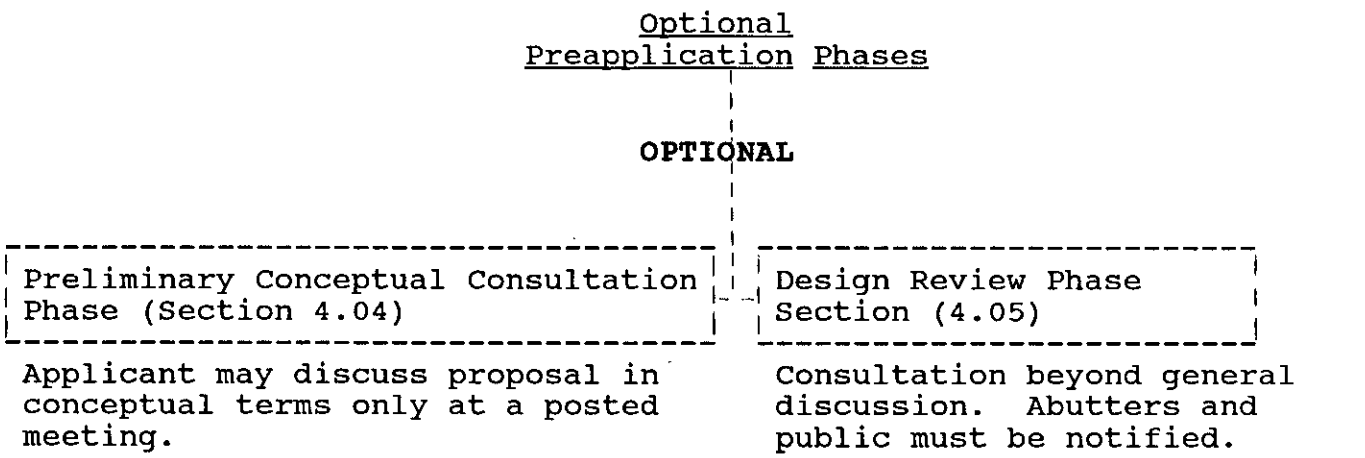
THE UNINCORPORATED PLACES:

Atkinson & Gilmanton Academy Grant
Bean's Grant
Bean's Purchase
Cambridge
Chandler's Purchase
Crawford's Purchase
Cutt's Grant
Dix's Grant
Dixville
Erving's Grant
Green's Grant
Hadley's Purchase
Kilkenney
Low & Burbank Grant
Martin's Location
Millsfield
Odell
Pinkham's Grant
Sargeant's Purchase
Second College Grant
Success
Thompson/Meserve Purchase
Wentworth Location

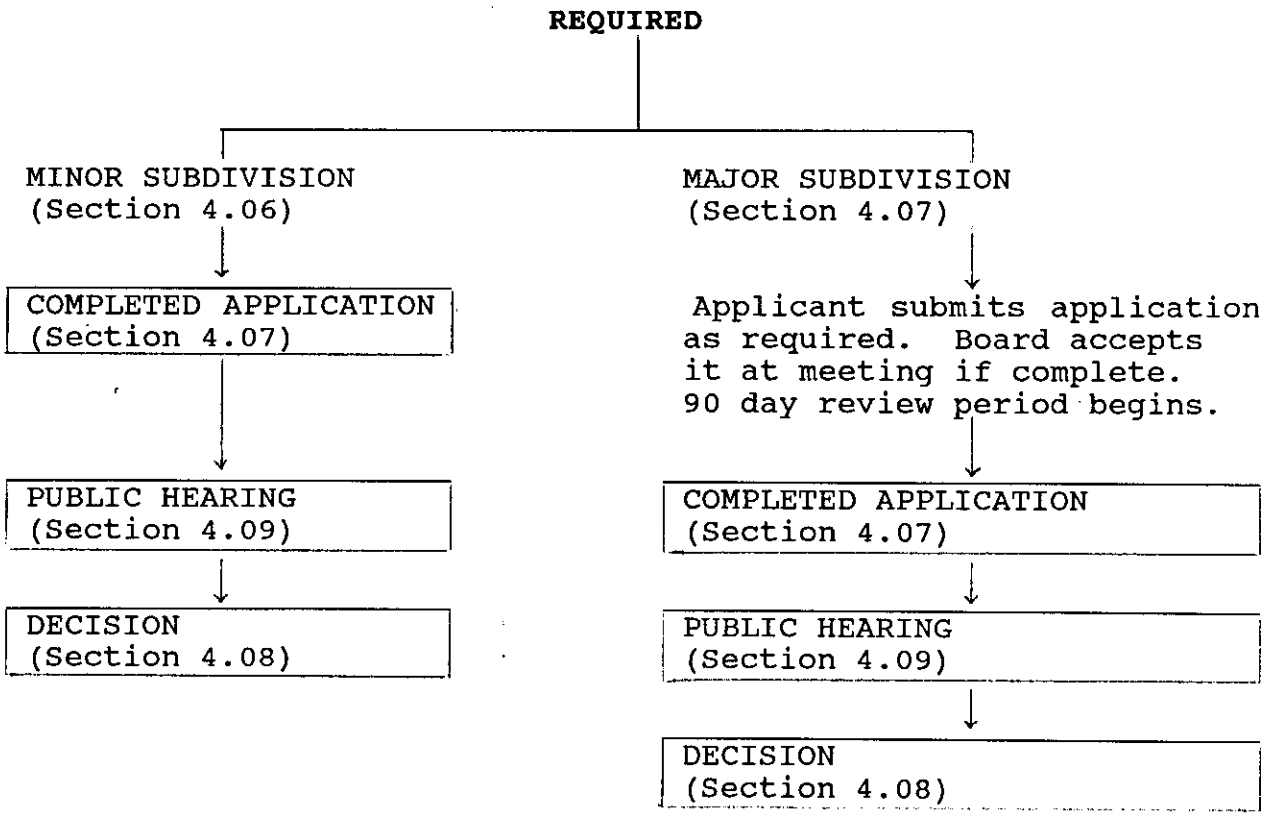
All inquiries and correspondence regarding these regulations should be addressed to:

Clerk, Coos County Planning Board
P. O. Box 10
W. Stewartstown, N. H. 03597
(603) 246-3321

SUMMARY STEPS FOR SUBDIVISION REVIEW:



For both optional preapplication phases there should be NO decisions, NO formal submissions, NO time limits, and NOTHING binding.



LAND SUBDIVISION REGULATIONS

SECTION 1. AUTHORITY AND PURPOSE

Pursuant to the authority vested in the Coos County Planning Board by the Coos County Delegation in accordance with the provisions of NH RSA 674:35, 675:6, and 676:4, the Coos County Planning Board adopts the following regulations governing the subdivision of all land in the unincorporated towns of Coos County, New Hampshire. These regulations are designed to accomplish the purposes set forth in NH RSA 674:36 and for the purposes of protecting the health, the safety, the convenience, and the economic and general welfare of our citizens.

SECTION 2. TITLE

These regulations shall be known and cited as the "LAND SUBDIVISION REGULATIONS FOR THE UNORGANIZED TOWNS AND UNINCORPORATED PLACES OF COOS COUNTY, NEW HAMPSHIRE".

SECTION 3. DEFINITIONS

3.01 ABUTTER: Shall mean any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the Board. For purposes of receiving testimony only, and not for the purpose of notification, the term "ABUTTER" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of the Board's hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3.XXIII.

3.02 BOARD: Shall mean the Planning Board of Coos County.

3.03 CLUSTER: Shall mean the division of land into lots for use as building sites where each lot has an area and dimensions less than the minimum required for the district. However, the total number of lots in the tract shall not exceed the number permitted in a normal subdivision for that district.

3.04 CONDOMINIUM: Shall mean multi-family or group housing, wherein dwelling units are individually owned, but wherein open space and group facilities are held in common ownership. Condominiums shall be considered a subdivision of land as outlined in NH RSA 356-B and reviewed accordingly.

3.05 DRAINAGE RIGHT-OF-WAY: Shall mean land required for the installation of storm water sewers or drainage

ditches, or required along a natural stream or water course for preservation of the channel and providing for the flow of water therein to secure safety from flood damage and to preserve natural amenities.

3.06 DRIVEWAY: Shall mean an area located on a lot, tract, or parcel of land, and built for access to a garage or off-street parking space, serving not more than two (2) lots or sites.

3.07 ENGINEER: Shall mean the designated, duly licensed professional or civil sanitary engineer, as required by New Hampshire licensing laws.

3.08 LOT: Shall mean a parcel or portion of land separated from other parcels or portions of land by a description as on a subdivision or record of survey map or by metes and bounds.

3.09 MAJOR SUBDIVISION: Shall mean any subdivision not classified as a minor subdivision.

3.10 MASTER PLAN: Shall mean the comprehensive plan to guide the long-range development of the Unincorporated Towns as defined in NH RSA 674:2.

3.11 MINOR SUBDIVISION: Shall mean any subdivision involving three (3) lots or less fronting on an existing street with no potential for resubdivision, or minor lot line adjustments or boundary agreements which do not create buildable lots, and which require no new roads, utilities, or other municipal improvements.

3.12 PLAT: Shall mean a map, plan, drawing, or chart on which the subdivider's plan or subdivision is presented to the Board for approval and which, if approved, will be submitted to the County Register of Deeds.

3.13 PERFORMANCE GUARANTEE: Shall mean any security which may be accepted in lieu of requirement that certain improvements be made before the Board or other approving authority approves a plat, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

3.14 STREET: Shall mean a state highway, or a town highway, street, road, avenue, land and/or other way including a private roadway which exists for vehicular travel, exclusive of a driveway serving not more than two (2) adjacent lots or sites. The term "STREET" shall include the entire right-of-way.

3.15 SUBDIVIDER: Shall mean any individual, firm, association, syndicate, co-partnership or corporation, trust or other legal entity having commenced proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

3.16 SUBDIVISION: Shall mean the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale, rent lease, condominium conveyance or building development. It includes resubdivision and, where appropriate to the context, relates to the process of subdivisions or to the land or territory subdivided.

The division of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.

The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as polices, wires, cable, conduit, manholes, repeaters and supporting apparatus, including any unmanned structure which is less than 200 square feet, shall not be construed as a subdivision under this regulation, and shall not be deemed to create any new division of land for any other purpose.

SECTION 4. APPLICATION PROCEDURE

4.01 General Procedure

Whenever any subdivision of land is proposed, before any construction, land clearing, or building development is begun, before any permit for the erection of any building in such proposed subdivision shall be granted, before any contract or offer for sale, rent, condominium conveyance or lease of lots in the subdivision shall have been negotiated, before converting a property to condominium or time-share ownership, and before any subdivision plat may be filed in the office of the Register of Deeds of Coos County, the subdivider or his authorized agent shall apply in writing to the Board on a form provided by the Board (See Appendix I) and secure approval of such proposed subdivision in accordance with these regulations.

4.02 Certification by Owner

Prior to the submission to the Board by the owner of any information relative to a subdivision of a parcel

of land under these regulations the owner will certify to the Board by letter that he is the owner by title of record and that consent for such application for subdivision has been given.

4.03 Preapplication Phases

The applicant may elect to forego or engage in preapplication review (preliminary conceptual consultation and design review) or either phase thereof as provided in section 4.04 and 4.05. Preapplication shall be separate and apart from formal consideration, and the time limits for acting under 4.08 shall not apply until a formal application is submitted under 4.07.

4.04 Preliminary Conceptual Consultation Phase

a. The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Such preapplication consultation shall be informal and directed toward:

(1) Reviewing the basic concepts of the proposal.

(2) Reviewing the County's subdivision regulations as they may apply to this proposal and determination of the proposal as a major or minor subdivision, and,

(3) Guiding the Applicant relative to state and local requirements.

b. Preliminary conceptual consultation shall not bind the Applicant or the Board. Such discussion may occur at a regular meeting without formal public notice as provided under Sections 4.09 and 4.10. However, no discussions beyond the conceptual and general discussion shall take place without identification of and notice to abutters and the general public as described in Section 4.10.

4.05 Design Review Phase

a. Prior to submission of an application for Board action, an applicant may request to meet with the Board for nonbinding discussions beyond the conceptual and general, involving more specific design and engineering details of the potential application.

b. To appear on the agenda the applicant must notify the Board not less than fifteen (15) days prior to any regularly scheduled meeting and shall provide:

(1) Name(s) and address(es) of the applicant(s) and a current list of abutters and their addresses from tax records, for proper notification.

(2) A check to cover the mailing and advertising costs as stated in 4.11b.

c. Statements made by the Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

d. The Board shall not accept any submissions by the applicant at this time.

e. The Board will notify abutters and the public pursuant to RSA 676:4, I(d).

4.06 Minor Subdivision

a. The Applicant may first meet the Board for preapplication consultation of his proposal as discussed in Section 4.04 to determine if it is a Minor Subdivision. If it is determined to be a Minor Subdivision (as defined in Section 3.11), the applicant shall submit:

(1) A Completed Application as required in Section 5.01.

(2) Notice of Submission shall be given as provided in Section 4.10 and may be combined with the Notice of Public Hearing.

b. The Completed Application under this Section may be submitted and approved at one or more Board meetings but no application shall be approved without the full notice of abutters and public as required under Section 4.10. A public hearing, duly noticed as described in Section 4.09, shall be held only if requested by the Applicant or abutters or if the Board determines to hold a hearing (RSA 676:4, III).

c. There will only be one minor subdivision allowed from a given parcel every three years.

4.07 Filing and Submission of Completed Application

a. The Completed Application, as required in Section 5 (Plan Requirements) and including all necessary information from Sections 6 and 7 (Required Improvements and Design Standards), shall be filed with the Clerk of the Board at least fifteen (15)

days prior to a scheduled public meeting of the Board.

b. The completeness of the application shall be determined by the Clerk of the Board according to criteria in Section 5.01. The completed application will then be formally submitted and accepted for review by the Board at a regularly scheduled public meeting after due notification to Applicant, abutters, and the general public of the date the Completed Application will be submitted and received by the Board.

c. An incomplete Application filed by the Applicant will not be formally accepted by the Board nor will notices of a public meeting be mailed, posted, or published as provided in Section 4.10.

d. Applications shall be disapproved by the Board without public hearing on the grounds of failure of the Applicant to supply information required by these regulations.

e. When a Completed Application has been accepted by the Board, the Board shall provide a receipt to the Applicant indicating the date of formal acceptance.

4.08 Board Action on Completed Application

a. The Board shall consider the Completed Application within thirty (30) days of its submission. After review of the Completed Application, and after a duly noticed public hearing, the Board shall act to approve or disapprove the Completed Application within ninety (90) days, subject to extension or waiver as provided in accordance with NH RSA 676:4.

b. Approval of the Plat shall be certified by written endorsement on the Plat and signed by the Chairman or Clerk of the Board. The Clerk shall transmit a copy of the Plat with such approval endorsed in writing thereon to the Register of Deeds of Coos County. The subdivider shall be responsible for the payment of all recording fees. In the event the Board disapproves any Plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and written notice given to the Applicant.

c. If the Planning Board has not taken action to approve or disapprove the Completed Application within ninety (90) days of its acceptance and has

not obtained an extension or waiver, the Applicant may obtain from the County Commissioners an order directing the Board to act within fifteen (15) days. Failure of the Board to act upon such order shall constitute grounds for the Applicant to petition the Superior Court as provided in NH RSA 676:4.

d. Conditional Approval

The Board may grant conditional approval of an application, which shall become final approval without further public hearing, upon certification to the Board by its designee or based upon evidence submitted by the applicant of satisfactory compliance with the conditions imposed. Final approval may occur in this manner only when the conditions are:

(i) minor plan changes whether or not imposed by the Board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgment; and

(ii) conditions which are in themselves administrative and which involve no discretionary judgment on the part of the Board; or

(iii) conditions with regard to the applicant's possession of permits and approvals granted by the other boards or agencies, such as the Department of Transportation (NH RSA 249), the Wetlands Board (483-A), and Water Supply and Pollution Control Division (NH RSA 149-E and RSA 149:8-a).

4.09 Public Hearing

Prior to the approval of a subdivision, a public hearing shall be held as required by NH RSA 676:4 and notice to the Applicant, abutters, and the public shall be given in accordance with Section 4.10. The public hearing shall be held within thirty (30) days after submission of the Completed Application. For minor subdivisions, as defined in Section 3.11, a public hearing shall be held if requested by the applicant or the abutters or if the planning board determines that a hearing should be held.

4.10 Notices

a. Notice of the design review phase or submission of a Completed Application shall be given by the Board to the abutters and the Applicant by certified mail, mailed at least ten (10) days prior to the submission, and to the public, at the

same time, by posting in at least two public places in the County and publication in a newspaper of general circulation. The notice shall give the date, time, and place of the Planning Board meeting at which the Application or other item(s) will be formally submitted to the Board, and shall include a general description of the proposal which is to be considered and shall identify the Applicant and the location of the proposed subdivision. An applicant may request a waiver of notice to some or all abutters for minor subdivisions, provided such applicant agrees to hold the Board harmless if any abutter challenges such waiver.

b. For any public hearing on the Completed Application, the same notice as required for notice of submission of the Completed Application shall be given. If the notice of public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice is not required of an adjourned session of a hearing provided that the date, time, and place of the adjourned session was made known at the prior meeting.

4.11 Fees

a. A Completed Application for Minor Subdivision shall be accompanied by the filing fee of $35.00, plus cost of notification per abutter for notification. A Completed Application for Major Subdivision shall be accompanied by a filing fee of $50.00 plus $10.00 per lot, and the cost of notification per abutter for notification.

b. All costs of notices, whether mailed, posted, or published, shall be paid in advance by the Applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the Plat without a public hearing.

c. Pursuant to NH RSA 676.4.I(g), it shall be the responsibility of the Applicant, if the Board deems it necessary, to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters which may be required to make an informed decision on a particular application.

SECTION 5. PLAN REQUIREMENTS

5.01 Completed Application

The Plat shall be submitted in permanent ink on a permanent linen or polyester film with three (3) blue or black line prints on paper. Sheet size shall be in accordance with the requirements of the Register of Deeds, but shall not be smaller than 22"x34". Space shall be reserved on the plat for all necessary endorsements. The subdivision plat shall be consistent with the preliminary layout (if submitted), except as changed by recommendations or suggestions of the Board.

The Plat shall be based on "an on the ground" boundary survey with a maximum error of closure of 1 in 5,000, certified by land surveyor registered in the State of New Hampshire. The Plat shall show or be accompanied by:

a. The names and addresses of all abutters (submitted not more than five (5) days before the day of filing) and payment to cover filing fees, mailing, advertising, recording, and other costs as stated in Section 4.11.

b. The Board may require additional reports or studies, including but not limited to traffic impact analysis and environmental impact analysis, to allow the Board to make an informed and educated decision concerning the proposal.

c. The plat shall include:

   1. Proposed subdivision name or identifying title;

   2. Name(s) and address(es) of the applicant and owner, if other than the applicant;

   3. Scale and north point;

   4. Boundary survey including bearings, distances; and the location of permanent markers;

   5. Final drainage system;

   6. Lot areas, dimensions, and numbering;

   7. Final road profiles and cross sections;

   8. Topographic contour boundaries at 5 foot intervals;

9. Location of soils, ground water, and percolation tests using site-specific information.

10. Deed restrictions;

11. Open space;

12. Buildings and other man-made structures to remain;

13. Existing and proposed streets with names and right-of-way widths;

14. Water courses with accurate dimensions;

15. Profiles of water mains, sanitary sewers, gas and other utility systems;

16. Identification of Wetlands per Corps of Engineer guidelines;

17. Seasonal high water;

18. Test pits including profiles of each test pit.

19. Total area in which the subdivision is located and locus;

20. Scale of 1" for 100';

21. Recreational trails such as snowmobile, hiking, or cross country ski trails plotted on the plat.

22. And identification of any known wildlife habitat; existing roads, including private roads and logging roads; stone walls and other monuments.

d. The following certifications will be affixed to the final plat together with the appropriate signatures and seals if available prior to final approval.

(1) I hereby certify that this map and survey has been made under my supervision. The date of of the survey was _____.
Date

_____
Licensed Land Surveyor

(2) This map is hereby approved by the Coos County Planning Board at an official meeting held on _____ and shall be filed on or before _____ with the Coos County Register of Deeds.

_____ Date

_____ Chairman or Clerk County Planning Board

5.02 Performance Guarantee

As a condition to the approval of a Plat, the Planning Board shall require the subdivider to post a performance guarantee in an amount sufficient to defray the costs of construction of streets; public improvements; drainage structures; the extension of water and sewer drains; storm drains; underdrains; erosion control and other improvements of a public utility nature. The amount of the guarantee shall be based on an estimate of costs provided by the subdivider and, at the discretion of the Planning Board, reviewed by a registered/licensed engineer. The cost of such a review shall be borne by the subdivider.

a. This performance guarantee shall be approved as to form and sureties by the County Commissioners and the Board's Counsel and conditioned on the completion of such improvements within two (2) years of the date of the guarantee, or as described in a Performance Agreement and may be:

(1) A surety bond, issued by a surety company authorized to do business in the State of New Hampshire, to be filed with the Board in form and amount satisfactory to it, or

(2) Cash or savings bank book properly endorsed to the County in an amount to be determined by the Board, and to be deposited with it.

(3) Other security acceptable to the Board.

b. The amount of the performance guarantee shall include fees to cover the cost of periodic inspections.

c. Where electric lines or other utilities are to be installed by a corporation, municipal department, or public utility; a letter of intent shall be required stating that the work will be done in reasonable time and without expense to the County.

d. Each approved plat shall contain a time limit for the completion of streets and public improvements.

e. The performance guarantee shall be released in phases as portions of the secured improvements or installations are completed and approved by the County Commissioners, or their designee, in accordance with the plan approved by the Board.

f. All deeds covering land to be used for public purposes, easements and right-of-ways over property to remain in private ownership, and rights of drainage across private property are submitted in a form satisfactory to the Board's counsel. All recording fees shall be borne by the subdivider.

SECTION 6. REQUIRED IMPROVEMENTS

The Coos County Planning Board may seek technical assistance from appropriate regional, state and federal resource agencies in its review of a Plat.

6.01 Streets

a. Subgrades

(1) All topsoil, stumps, brush, roots, boulders, and like materials shall be stripped or removed from the proposed subgrade area and disposed of at the expense of the subdivider. The subgrade of all streets shall be constructed in such a way that they comply in every way with the NHDOT "Suggested Minimum Design Standards for Rural Subdivision Streets". All soft and spongy places shall be excavated to such depths as shall be necessary to stabilize the foundation of the road and refilled solidly with sub-base material.

(2) The center line of the new road shall be staked and sidestaked at fifty (50) foot intervals before any clearing is begun on the R.O.W.

(3) Limits of clearing shall be marked by stakes or flagging. Distances from the center line shall be obtained from the cross-sections.

(4) Elevations shall be taken on the tops of sidestakes after clearing is completed and before excavation is started. Cuts and fills shall be marked on sidestakes.

b. Embankments

(1) Embankments shall be formed of suitable material placed in successive layers of not more than twelve (12) inches in depth for the full-width of the roadway cross-section and shall be compacted uniformly and sufficiently to prevent settlement.

c. Base Course

The base course shall not be laid until the subgrade has been inspected. Upon the completion of this inspection the base courses of all streets shall be applied in such a way that they comply in every detail with the NHDOT "Suggested Minimum Design Standards for Rural Subdivision Streets". The completed base shall conform to the lines and grades of the profiles and cross-sections.

d. Shoulders

Shoulders shall be constructed in the same manner as described above or as noted on approved cross-sections or as directed by the Board.

6.02 DRAINAGE

a. Underdrains

Underdrains shall be installed where the character and composition of the soil in the roadbed and other areas of the subdivision render such installation as necessary in the opinion of the Board. These underdrains shall consist of perforated metal pipe or perforated fiber pipe of a minimum of six (6) inches in diameter and laid in the bottom of a trench at such depth and width as may be necessary. The trench shall be filled with clean bank run gravel or equivalent material as approved by the Board.

b. Storm Drains, Culverts, Catch Basins

Storm drains, culverts, and related installations, including catch basins and drop inlets, shall be installed within or without the subdivision as necessary to permit unimpeded flow of all natural watercourses, to insure adequate drainage of all low points along streets, and to intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained. (Where required, Catch basins may be on both sides of the roadway on continuous grade at intervals of approximately three hundred (300) feet.) Drainage improvements shall meet the specifications of AASHO (American Association of

State Highway Officials) in regard to material and strength requirements. Catch basins and drop inlets shall be equal to New Hampshire Standard Type A or acceptable to the Board. Storm sewer pipes and culverts shall have a minimum diameter of twelve (12) inches and shall be of reinforced concrete, corrugated aluminum, bituminous coated corrugated steel, or equivalent and shall have a minimum two (2) foot cover over all pipes. Headwalls, where required, shall be either of concrete or rubble masonry.

c. Erosion Protection Ditches

Paving or stone shall be provided in ditches where soil or velocity conditions warrant protection from erosion as determined by the Board.

6.03 MONUMENTS

Concrete bound monuments shall be set on the right-of-way lines, at the beginning and end of curves, angle points, and on tangents with a maximum distance of one-thousand (1,000) feet between bounds. Such bounds shall be of stone or concrete 4"x4"x36" long. Concrete bounds shall be reinforced with one-half (1/2) inch diameter deformed bars. The bound shall be flush with the finished grade. No permanent monuments shall be set until all construction which might disturb or destroy the monuments is completed. Bounds shall be set by a registered professional engineer or land surveyor.

6.04 WATER AND SEWER FACILITIES

a. Common Systems

Such systems proposed by a subdivider shall be of sufficient capacity to serve the subdivision and shall be designed and constructed for incorporation into future town systems. All such facilities shall meet the requirements of and be approved by the New Hampshire Water Supply and Pollution Control Division, local and county health and public works agencies, and/or any other public body having jurisdiction and shall be accepted by the Board. Site plans shall show:

* Five (5) foot contour intervals.
* Well site with two hundred (200) foot protective radius. No subsurface disposal system permitted in this area.
* All lots numbered.

* Distribution system with water line sizes, pipe material, buried depth of piping, and all valving and hydrant locations.
* Type of establishment.

The following information shall also be submitted:

(1) Complete quality analysis for the well water as conducted by the New Hampshire Water Testing Laboratory within the past six (6) months.

(2) Continuous 48-hour yield test log of the well showing water level and rate of pumping at one hour intervals.

(3) Schematic drawing of pumphouse piping.

(4) Detailed elevation of pumphouse facilities.

(5) Detailed elevations of well design.

(6) Storage facilities to be provided.

(7) Characteristic curve for all pumps - well and booster.

(8) The proposed water system must meet all the requirements of the New Hampshire Water Supply and Pollution Control Engineering Section before acceptance by the Board.

b. Individual Service

Individual well and subsurface disposal facilities shall comply with all applicable local, county, and state requirements including those of the New Hampshire Water Supply and Pollution Control Division. In areas not currently served by common sewer systems, it shall be the responsibility of the subdivider to provide adequate information to prove that the area of each lot which is to be built upon is adequate to permit the installation and operation of an individual sewerage disposal system (septic tank and leach field). The subdivider shall be required to provide the necessary equipment and labor for the making of these tests as required by the local, county, and state authorities having jurisdiction.

SECTION 7. DESIGN STANDARDS

The subdivision plat shall conform to the design standards set forth herein to encourage good development patterns within the unincorporated towns.

7.01 STREETS

a. General Design

All streets in the subdivision shall be designed to provide safe, vehicular traffic. Due consideration shall also be given to the attractiveness of the street layout in order to enhance the livability of the subdivision. Provisions shall be made for the future extension of streets to adjoining, unsubdivided property. Subdivisions that adjoin or include existing streets that do not conform to the widths shown in the comprehensive plan or official maps or the street width requirements of these regulations shall dedicate the differential width along either or both sides of said existing streets. If the subdivision is along one side only, one-half (1/2) of the differential width shall be dedicated.

b. Naming

No street shall have a name which duplicates or which is substantially similar to the name of an existing street. The continuation of an existing street shall have the same name.

c. Cross-sections

All street right-of-way widths shall be fifty (50) feet.

d. Alignments

Street jogs at intersections with centerline offsets of less than one-hundred twenty-five (125) feet shall be avoided. The minimum centerline radii of curved streets shall be one-hundred fifty (150) feet. Streets shall be laid out as to intersect as nearly possible at right angles. No street shall intersect any other street at less than seventy-five (75) degrees.

e. Design of Intersecting Roadway Surfaces

Intersecting roadways shall have a transitional area at all corners to accommodate turning movements to a radius of thirty (30) feet.

f. Grade

Grades of all streets shall be reasonable but shall not be less than 0.5% or more than 12% to a maximum distance of 50 feet unless specifically approved by the Board. The Board

may modify the maximum and minimum gradient for short lengths of street where, in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of the land. All changes in grade exceeding .05% shall be connected by vertical curves of sufficient length to afford adequate sight distances.

7.02 LOTS

a. Lot dimensions and area requirements shall not be less than the requirements of the zoning ordinance or as required by soil or topographic conditions.

b. Insofar as practical, side lot lines shall be at right angles to straight streets and radial to curved streets.

c. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line and all setbacks shall be measured from such line.

d. Where there is a question as to the suitability of a lot or lots for its (or their) intended use due to the presence of such factors as rock formations, steep slopes, unusual surface configurations, tendency to periodic flooding, poor drainage, unsuitable soils and inadequate capacity for sanitary sewage disposal, the Board may, after adequate investigation, withhold approval of such lot.

e. Lots should be graded in such a manner as to prevent the collection of water at low points.

f. Long, narrow lots or lots with very irregular shapes shall not generally be accepted by the Board, particularly if, in the opinion of the Board, such lots will create unusable or inaccessible areas of land.

7.03 EASEMENTS

a. Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and are subject to the approval of the board. The widths of these easements shall be based on the requirements of the various service agencies involved (power company, telephone company, etc.) with respect to the type of subdivision proposed and the type of service provided (overhead, underground, etc.).

b. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a storm water easement or drainage right-of way of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, and provide construction or other necessary purposes.

7.04 OPEN SPACES

The Planning Board may, in proper cases, require the plat to show a park or parks suitably located for playgrounds or recreation purposes or for providing light and air. The park or parks shall contain a sufficient amount of buildable land in a continual parcel acceptable to the Board in a major subdivision plan and shall be designated for recreational purposes as provided in NH RSA 674:36 and may be appropriately deeded to the County.

7.05 UNSUITABLE LAND

Land of such character that it cannot be safely used for the building purposes because of danger to health or peril from fire, flood, or other hazard shall not be platted for residential occupancy, nor for any other use which would tend to increase the danger to health, life or property or aggravate the flood hazard, until, in the opinion of the Board, appropriate measures have been taken by the subdivider to eliminate such hazards or reduce them to reasonable risks. Land subject to periodic flooding, poor drainage, or other hazardous conditions shall not be ordinarily subdivided. Land with unsuitable soil or inadequate capacity for individual sanitary sewerage disposal shall not be subdivided unless connected to a common sewer system.

7.06 PROTECTION OF NATURAL FEATURES

Due regard shall be shown for all natural features, such as trees, rocks, water courses and bodies of water, scenic points, historic points, and similar community assets.

7.07 ENVIRONMENTAL CONTROL - EROSION AND SEDIMENTATION

The following control measures should be employed by the subdivider for an effective erosion and sediment control plan:

a. The smallest practical area of land should be exposed at any one time during development.

b. When land is exposed during development, the exposure should be kept to the shortest practical period of time. Land should not be left exposed during the winter months.

c. Where necessary, temporary vegetation and/or mulching and structural measures should be used to protect areas exposed during development.

d. Sediment basins should be installed and maintained to remove sediment from run-off waters and from land undergoing development.

e. Provisions should be made to effectively accommodate the increased run-off caused by the changed soil and surface conditions during and after development.

f. The permanent, final vegetation and structures should be installed as soon as practical in the development.

g. The development plan should be fitted to the topography and soils so as to create the least erosion potential.

h. Whenever feasible, natural vegetation should be retained and protected.

i. Natural drainage ways should be utilized and left open to remove excess surface water.

SECTION 8. ADMINISTRATION AND ENFORCEMENT

8.01 Performance and Inspection of Work

a. All work necessary for the construction of required improvements shall conform to the requirements of these regulations. Such work shall be performed in a good and workmanlike manner, and shall be free from faults and defects. All materials incorporated in such construction shall conform to the requirements of these regulations and shall be of good quality. Any work or materials not conforming to the foregoing standards may be considered defective and rejected by the Board. All work and materials rejected by the Board as defective shall be removed and corrected by the subdivider.

b. The Board, or its designee, will be the County's representative during the construction of required improvements and shall, at all times, have access to the site when the work is in preparation and progress. The Board will make periodic visits to

the site to review the progress and quality of the work and to determine, in general, if the work is proceeding in accordance with the requirements of these regulations. The subdivider shall provide the Board timely notice of the completion of each major stage in the construction of any required improvement.

c. The subdivider shall give the Board notice when any required improvement is completed and ready for final inspection. The Board will promptly make such inspection and, upon determining that the improvement has been fully completed in accordance with these regulations, shall approve the same in writing. Such approval, in the case of a street, shall not constitute the legal acceptance of the street by the County, nor shall it modify in any way the requirements of law for the acceptance of streets by the County.

d. The subdivider shall promptly remedy any defects in any required improvement due to faulty workmanship or materials which appear within one year after approval thereof by the Board.

e. Notwithstanding the on-site observations and inspections of the Board, any written directions given by him, and any approvals of required improvements issued by him, the subdivider shall be, and remain, fully responsible for the performance of the construction work in accordance with the requirements of these regulations.

8.02 Modifications

The requirements of the foregoing regulations may be modified when, in the opinion of the Board, strict conformity of the regulations would cause an undue hardship or injustice to the owner of the land. A subdivision plan substantially in conformity with regulations may be approved by the Board provided that the spirit of the regulations and public convenience and welfare will not be adversely affected. The Planning Board may set higher requirements with respect to any of the standards, if conditions, in the opinion of the Board, warrant such action.

8.03 Enforcement

These regulations shall be enforced by the Board or its duly authorized representative.

8.04 Amendments

These regulations may be amended or rescinded by the Board following a public hearing on the proposed changes. The Chairman or Clerk of the Planning Board shall transmit a record of any changes so authorized to the Register of Deeds of Coos County.

8.05 Penalties

As provided in NH RSA 676:16, any owner, or agent of the owner, of any land within a subdivision, who transfers or sells any land before a plat of said subdivision has been approved by the Board and recorded in the office of the Register of Deeds of Coos County shall forfeit and pay a penalty of five-hundred ($500) dollars for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

8.06 Appeals

Any person, aggrieved by an official action of the Board, may appeal therefrom to the Superior Court of New Hampshire as provided NH RSA 677:15.

8.07 Validity

If any section, sub-section, or phrase of these subdivision regulations is found for any reason to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of these regulations.

8.08 Effective Date

These regulations shall become effective upon their official adoption by the Board in accordance with the provisions of NH RSA 675:6-9 and shall apply thereafter to all subdivisions in the unincorporated towns of Coos County.

ACKNOWLEDGEMENT

THIS PROJECT WAS FUNDED BY A GENEROUS GRANT
FROM THE
NEW HAMPSHIRE DEPARTMENT OF
ENVIRONMENTAL SERVICES

INTRODUCTION

The New Hampshire legislature has created a state-wide Land and Community Heritage Commission to explore new public-private partnerships to conserve priority natural, cultural and historical resources in the state. A major piece of the commission's work will be to create a prioritized and comprehensive state-wide catalogue of specific resources deemed important for protection by communities, individuals, organizations and state agencies.

To assist in this effort, North Country Council, the planning and economic development agency for the region and its towns, hosted meetings in the North Country in April and May, 1998 to gather local input as to what conservation efforts are currently underway in the region, what are the most important natural and cultural resources in our communities, and what is the best method of preserving them for future generations.

The meetings held by North Country Council and the other regional planning agencies are the vehicle for identifying local priorities early on in this process to assure that they are effectively represented in the state-wide conservation plan. We specifically invited a wide range of interests to these meetings, from local officials and planning boards to snowmobile clubs and historical societies. These meetings promoted awareness of efforts private groups and towns are already making to conserve New Hampshire's natural and cultural heritage and provided local citizens with direct input into future state conservation policy.

The following report documents the process and the information gained from this series of five sub-regional meetings.

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Written Responses

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Chapter I. Summary of the Process

North Country Council convened a meeting of regional leaders (attachment 1) who agreed to advise the Council on how best to gather local data for this project. The committee suggested a series of five sub-regional meetings to be held in Lisbon, Lancaster, Bartlett, Berlin and Plymouth. A wide range of stakeholders were identified and invited to these meetings including planning boards, selectmen, conservation commissions, historical societies, granges, lake associations, rod and gun clubs, hiking clubs, snowmobile clubs, local representatives of agencies such as conservation districts, and the natural resource conservation service, and others were notified of the meetings in a memorandum which described the statewide conservation prioritization effort and creation of the Heritage Commission (attachment 2). A total of over 350 invitations were mailed and a series of press releases were sent to local papers and radio stations inviting the public to attend (attachment 3).

The Advisory Committee also suggested that NCC assemble a wide variety of materials related to earlier and on-going conservation inventories, plans studies and reports which should be available at the meetings as reference materials for participants. These materials were collected and included municipal inventories of natural and historic resources, Natural Heritage Inventory lists, lake studies, Conte Refuge report, the Northern Forest Lands Study, the NH Forest Legacy Program Assessment of Need, and the recent Environmental Risk Assessment Report.

Resource maps from the EPA and from a 1995 land conservation inventory project conducted by the Society for the Protection of NH Forests were also displayed at each meeting, along with several regional resource maps generated by NCC. One of these maps displayed existing conservation lands and recreational sites using Complex Systems data, and the other showed conservation land overlaid by the roads system and revealed the location of large tracts of privately owned land unfragmented by roads and opportunities for linking these tracts to protected tracts for wildlife corridors and habitat protection. The Northern Forest Alliance attended several of the sub-regional meetings to display and answer questions about their Wildlands maps. Time was set aside in the agenda for participants to study these materials and maps.

The five meetings were held in April and May. Central locations were chosen based on North Country Council's seven sub-regions. Regions A and B were combined (Lancaster) and Regions D and E were combined (Lisbon). The meeting for Region C was held in Berlin, Region F in Bartlett and Region G in Plymouth (see attachment 4 for a map of sub-regions).

In spite of wide publicity and the large numbers invited, attendance was moderate to small:

Lisbon:	7
Lancaster:	10
Bartlett:	6
Berlin:	13
Plymouth:	10

Attendance lists were kept and are included with this report (attachment 5). Those attending represented town planners, selectmen, conservation commissioners, planning board members, historical society representatives, conservation organization members, a Cooperative Extension water quality specialist, a member of the state Fish and Game Board and interested individuals. North Country Council board members from the sub-regions acted as local hosts for each meeting. The meetings were informal and provided significant opportunities for both questions about and discussion of the current project, preferred conservation methods and conservation local priorities. At each meeting three questions were posed to participants following a general discussion of REPP and the statewide conservation priority project.

1. What conservation projects are currently underway in your town and the region?
2. Which types of resources are most at risk, or should have priority for conservation in the region?
3. Which specific parcels should be conserved under the new program?

Participants were asked to describe on-going conservation projects whether they are in process or in the dreaming stage. These were noted by project staff and are described in Chapter III of this report. In order to determine local priorities for resource conservation, each participant was given four stickers and asked to place them on the broad resource categories they believe should have priority in a statewide conservation plan based on local conditions. NCC presented a list of resources in the meeting agenda, both natural and cultural, and participants added to the list. Grand hotels, air resources, prime forest soils and ski industry heritage were all resource categories added by participants. Graphs illustrating results of this task are included in Chapter II of this report.

Finally, participants were asked to identify specific resources for protection on mylar overlays of USGS topographic maps. The overlays showed existing conservation lands and locally-identified recreation sites to aid participants in locating conservation priorities.

Written Responses

To broaden participation in the project beyond those attending the five sub-regional meetings, municipal maps and a questionnaire were sent to each planning board and each conservation commission in the region. The boards were asked to provide the same information to us related to conservation projects, priorities and specific resources. Nine towns responded to this mailing and their responses were added to the data base and this report. The towns were: Warren, Randolph, Jefferson, Landaff, Lincoln, Easton, Bath, Littleton and Woodstock. These responses are included as an appendix to this report.

Chapter II. Narrative Summary of General Findings

General Comments

Peter Powell, NCC Board member, who hosted the meeting in Lancaster, is concerned that the low attendance at the sub-regional meetings may give the impression that folks in the North Country do not feel there is a need for natural resource protection. He suggests that local residents may not have felt compelled to attend the meetings due to a perceived lack of pressure on local resources at this time, but he does believe that there are natural resources at risk and there is support in the region for conservation of those resources.

There is also some evidence that North Country residents, especially local officials, perceive interest in conservation as a long-term threat to economic development of what they see as the limited supply of private land in the region outside existing federal and state land. Particularly in Coos County, residents have the impression that, to paraphrase Senator Fred King, "the North Country is in danger of being studied right out of existence."

There does remain a core of conservation-minded folks who are willing to identify priorities, however, some of them pointed out that they did this in Coos County and the CT River valley as recently as 1994 in a study conducted by Judy Tumosa for the Forest Society (SPNHF), (underwritten by the USDA, Northern Forest Lands Council, CT River Joint Commissions and the Merck Family Fund). They encouraged me include that data in this report, and we are doing so with the permission of the Forest Society.

The third group of residents besides the local officials who by-and-large stayed away, and the conservationists who came in small numbers, are those who came to speak for a variety of local historic and cultural conservation projects, both under-way and in the dreaming stage. This group was enthusiastic and supportive, voicing the energy for conservation of local cultural heritage and the need for funding for these projects. One participant argued that smaller cultural/historic sites deserve more attention, too much

attention goes to large resources like timberland. For example, historic resources like town halls and the written records, letters and photographs stored in them are at risk. A ride through the North Country does reveal deteriorating town structures, or those which have been modernized without regard to their historic character. These cultural resources are deteriorating because towns, most with populations under 1,000, simply cannot afford to conserve them.

Resource Protection Priorities

As noted in Chapter I, each participant was given four stickers and asked to place them on sheets containing individual resource categories. They were asked to chose the four categories they believe should have priority in a statewide conservation plan, based on local conditions. For the purposes of the exercise, no distinction was made between historic, cultural and natural resource categories. Included in the list were: alpine communities, drinking water resources, industrial heritage, prime agricultural soils, agricultural heritage, transportation heritage, archeological resources, wetlands, critical habitat, large forested tracts, timber industry heritage, recreational resources, village districts, historic structures, shoreline and scenic resources. Participants added air resources, grand hotels, ski industry heritage and prime forest soils.

Graphs included on the following pages display the response to this task. In the region as a whole, scenic resources were given top priority, followed by shoreline and historic structures. However, two of the five sub-regions (Bartlett and Littleton/Haverhill) gave shoreline the highest priority. Historic Resources were given the second highest priority in three sub-regions (Berlin, Bartlett and Plymouth).

Scenic resources can be seen to contain both natural and cultural features. Preservation of scenic resources has economic benefits in terms of tourism, quality of life benefits for residents and may also serve to preserve critical habitat, much of which is also highly scenic. It appears that overall, project participants take a holistic, landscape approach to assigning conservation priorities.

A Note on the Data Base and GIS Coverage

The point locations used in the data base and GIS map were collected primarily from four sources. They include the five sub-regional REPP public meetings held in April and May of 1998; the 1995 study conducted by the Society for the Protection of New Hampshire Forests entitled "Protecting Local Resources-Coos County ", which was funded by the United States department of Agriculture, Northern Forest Lands Council and the Forest Society; the 1996 study also conducted by the SPNHF entitled "Protecting Local resources-Connecticut River Valley", funded by the Merck Family Fund and the Forest Society; and finally, data solicited directly by the region's planning boards and conservation commissions for this REPP study by North Country Council. Project ID numbers for each data point include the year the data was collected so that the source of the data can be determined. A few sites have been added by North Country Council based on our knowledge of local resources or master plans. These cases are so noted in the d-base file.

No corrections were made by participants to the Complex Systems conservation lands coverage which was presented at the meetings. Because the state conservation lands coverage and associated data base are readily available from Complex Systems, it was not included with this report.

Inclusion of the 1995 and 1996 Society for the Protection of New Hampshire Forests Studies

The Society for the Protection of New Hampshire Forests generously gave its permission for the use of its study findings in the REPP project. Because the data was collected in a series of local meetings held in 1995 and 1996 by Judy Tumosa, it was decided that the data was entirely relevant to the REPP project and "fresh" enough for inclusion in our study. The SPNHF data has not been previously digitized.

Data Points on Public Land

Some of the data points occur on land that is already in public ownership and included in the Complex Systems Conservation land coverage. This is because in particular instances participants did not feel that public ownership alone is providing adequate conservation for the resource. An example of this is Icy Gulch in Randolph which is owned by the Town of Gorham. The Randolph Conservation Commission would like more explicit protection, in the form of a conservation easement, for this ecologically sensitive area. Another example of protection priorities on public land is Chandler Pond in Landaff. Although the pond is state-owned, residents believe current management (or lack of it) has degraded this locally important resource. Another example is the Livermore Lumber Camp site which is located within the White Mountain National Forest. Local residents would like to see public resources used to better conserve and interpret this historic resource.

Chapter III. Regional, Sub-Regional Natural/Cultural Resource Protection

Existing Efforts and Protection Needs As Reported By At The Five Sub-Regional Meetings

Meeting #1 Sub-regions D and E (Lisbon Regional School)

Towns: Lisbon, Littleton, Bethlehem, Monroe, Lyman, Sugar Hill, Franconia, Landaff, Easton, Bath, Haverhill, Benton, Warren, Wentworth

Existing efforts reported:

- Balcony restoration at Lisbon Town Hall
- Conservation of two historic school buildings: Haverhill Academy and Ladd Street School
- Bath-Haverhill Bridge: funding for stabilization efforts and re-development plan are ongoing through Scenic Byway Enhancement funds and local fundraising, etc.
- Cold Springs Aquifer - North Haverhill, private ownership
- River Front park: Lisbon Chamber of Commerce
- Preservation of Cannon Mountain remaining original ski trails - local interest group exploring options
- Depot Restoration in Wentworth, historical society leading this
- Selective TSM on 5-8 acres of land donated to the Town adjoining Landaff Town Hall. Future use is for picnics, recreation
- Bath is conducting several inventories: vernal pools, wetlands, natural resources, deer yard and a Forestland Evaluation Site Assessment (FLESA)
- Littleton's Conservation Committee is improving handicap accessibility and facilities at the Dells natural area, doing trail maintenance and researching the feasibility of dredging the Dells to improve fish habitat; they are also maintaining the Kilburn Crags and Pine Hill natural areas.

Sub-regional protection needs identified by participants and/or the NCC

- Abandoned railroad beds Woodsville to east of Littleton, and then running south via Bethlehem to Twin Mountain
- All historic railroad stations on or near their original sites
- Historic ski trails at Cannon Mountain: Upper cannon Trail, Taft Trail, Coppermine Trail, Tucker Brook Trail
- Chandler Pond is a state-owned lake that has been sadly neglected. The pond is in serious danger of becoming a swamp due to eutrophication.

- The Paine Estate, Old Church and Mormon archeological site are three historic resources in Easton which should be conserved, along with prime agricultural land on the Ham Branch valley floor.

Comments:

- The Easton Planning Board is concerned about protecting the large aquifer which underlies the town.
- Railroad rights of way should be maintained for trails, but plan and preserve alternate trail routes should the railroad beds be reconstructed in the future for rail use.

Meeting # 2 Sub-regions A & B, Lancaster, North Country Resource Center

Towns: Pittsburg, Clarksville, Dixville, Stewartstown Colebrook, Columbia, Stratford, Odell, Stark, Wentworth's Location, Millsfield, Errol, Northumberland, Lancaster, Dalton, Jefferson, Whitefield, Carroll

Existing efforts reported:

- Blue Mountain acquisition to be Vickie Bunnell State Forest (Stratford and Columbia)
- Groveton Meeting House: Historical Society wants to preserve and interpret
- Jefferson Historic Church
- Lancaster Main Street
- Poore Farm, Stewartstown
- Shelburne Peabody Farm
- Stark Church
- Maidstone Bridge: character should be maintained

Sub-regional protection needs identified by participants and/or the NCC

- Bog Brook Bridge: town bridge to be restored retaining character
- Northumberland (Groveton) Train
- Town Halls
- Town records need archiving and stabilization
- DOT and towns need to be sensitive to maintaining character of historic bridges they repair.
- Stratford Train Station
- Paleo-Indian site in Jefferson
- Historic structures, like logging camps, within USFS land.

Comments:

- Smaller cultural heritage sites and historic records need attention.
- Funds should be made available for Town Halls to be properly restored, maintaining historic integrity.
- The Heritage Commission should sponsor workshops for sharing conservation experience and methodologies among towns.

Meeting #3 - Sub-region F, Bartlett Town Hall

Towns: Jackson, Chatham, Bartlett, Conway, Livermore, Albany, Madison, Hart's Location, Eaton, Bean's Purchase

Existing efforts reported:

Stillings Farm in Bartlett, roof stabilized, nature trail proposed, access a problem
Conway - wetlands mapping by Audubon town-wide underway: Immediate concern: wetlands affected by the proposed Bypass
Attitash - easement

Sub-regional protection needs identified by participants and/or the NCC:

- Livermore: lumber camp ruins in National Forest needs interpretation
- Historic ski trails at Cranmore: Arlberg, Skimeister and Kandahar
- Historic ski trails at Wildcat: Wildcat Trail, Polecat Trail, Lynx Trail

Comments:

- There isn't much land left in this sub-region that isn't preserved already. Historic resources within the national Forest need to be interpreted for visitors. Old logging settlements are examples of this.

Meeting #4, Sub-region C, NH Technical College, Berlin campus

Towns: Dummer, Cambridge, Milan, Berlin, Success, Randolph, Gorham, Shelburne

Existing efforts reported:

- Pontook Reservoir: feasibility study underway for eco-tourism and education center
- Northern Forest heritage park: On-going effort to preserve and interpret cultural heritage of the timber industry
- Woolworth Building, Main Street, Berlin: Tri-County CAP may obtain it

Sub-regional protection needs identified by participants and/or the NCC:

- Thompson farm barns, Berlin Industrial Park
- Bowman Divide: Randolph
- Lookout Ledge - Randolph, privately owned, needs protection
- Ice Gulch - Randolph, owned by the town of Gorham (water supply0
- Montane Spruce/Fir Forest , Randolph, privately owned, recently logged old growth forest
- Pond Of Safety #1 priority of the Randolph conservation commission - owned by Hancock, road access to within 50' of shore
- Talus Slope and Scar, Randolph - owned by town of Gorham
- Rich Woods, Randolph, partly owned by town, 10 other private owners.
- Shelburne: entire valley corridor including reflection Pond (private property)
- Androscoggin shoreline in Dummer not adequately protected

Comments:

- Berlin is just about the last working mill town. It is a living museum. Refer to the "21 Cornerstones" project for conservation priorities (attachment)
- Historical societies in Coos County are organizing an umbrella organization.
- Refer to Randolph's Natural Features Inventory for descriptions of conservation priorities.

Meeting #5 - Sub-region G, Plymouth Town Hall

Towns: Lincoln, Woodstock, Ellsworth, Woodstock, Thornton, Waterville valley, Rumney, Campton, Groton, Plymouth

Existing efforts reported:

- Heritage Trail in Lincoln: spur out the Kancamagus -ISTEA funds obtained to pave 2 1/2-3 mile path 8' wide (entirely off-road)
- Downtown Lincoln Master Plan will be slowly implemented. Recommends façade renovations, riverfront park on municipal land
- ISTEA enhancement funds obtained in Lincoln to bury power lines, install brick pavers at crosswalks and install historic lighting fixtures on Main Street
- Heritage Trail of 13-15 sites in Lincoln to be officially inaugurated summer of 1998.
- Lincoln Town Hall being renovated
- Historic railroad chassis benches to be installed on Lincoln's Main Street to build on railroad theme

- Campton Historical Society has completed a cross-referenced inventory of all cemeteries
- Campton Historical Society currently mapping all historic resources, including brick yards
- Campton Historical Society is about to take over the Town hall as a museum
- Campton Historical society seeking historic site status for Blair Bridge (NH #41)
- Woodstock's CC is involved in a Pemi Habitat Restoration project
- Development of a management plan for Merriam Woods by Woodstock CC

Sub-regional protection needs identified by participants and/or the NCC:

- Riverfront walk to interpret former mill heritage being considered in Lincoln
- Plymouth - wants to preserve scenic farm/corn field on Tenney Mountain Highway, last working farm in Plymouth, priority because it is at risk for development.
- Plymouth wants to map archeological sites like cellar holes
- Plymouth wants to conserve the mill site in Glove Hollow, privately owned
- Historic (closed) Frontenac Ski Area in Plymouth, one of the first two rope tows, steepest grade of a lift in the state - possibility for donation as a conservation area.

Comments:

- Historic ski trails and areas now closed should be conserved for natural and historic values.
- The Grand Hotel sites , existing and gone, should be preserved as part of state's cultural heritage.
- Make sure that the towns get feedback about this project and the activities of the Heritage Commission.

Chapter IV.
Town-by-Town Presentation of Cultural and Natural Resource Protection Needs - The GIS Data Base

Chapter V. Recommendations for Future Action

Thoughts on How Best to Use the Information

The data related to specific sites and resources presented in this project is an unprioritized compilation of information. Although the data points represent local priorities in each community, no attempt was made to prioritze them on a regional or sub-regional basis. It would be possible to assign a protection category to each site in the data base and to give protection priority to those sites which are contained in the top three categories for protection in the North Country as identified, i.e. scenic resources, shoreline and historic structures.

Additional Work Remaining to be Done

On the statewide level, the methodology for prioritizing the identified resources will be the major challenge of the Heritage Commission. Regardless of the method chosen, it will be crucial to incorporate the local data in a significant and visible way and to keep local communities informed as to the progress and findings of the Commission. As noted in Chapter II, it appears that project participants take a holistic, landscape approach to assigning conservation priorities, giving scenic resources the highest priority. Additional work will be needed to translate the landscape level priority into individual conservation projects.

While fee purchase or conservation easements may be the best approach for conservation of some land resources, such as critical habitat or prime agricultural soils, scenic viewsheds, aquifers and undeveloped watersheds may be better protected through land use ordinances which are municipal initiatives. A challenge will be to develop cooperation among towns which share these resources, as well as creating a climate friendly to increased land use regulation in individual municipalities.

The protection needs expressed by residents of the North Country are extremely diverse; from a new roof on an historic town hall in Coos County to protection of a vast aquifer underling the Easton Valley. No one protection method, even if accompanied by a shower of dollars, will meet all of the needs. Nevertheless, a variety of approaches might be successful in protecting the region's most precious resources.

There was a strong expression by participants that historic resources, especially structures, should have priority in a conservation plan. One approach to these buildings, some privately owned, some owned by municipalities or historical societies, would be to create a state revolving grant and loan fund for stabilization of the most at risk structures, feasibility studies for adaptive re-use, and construction loans for conservation projects. Lon-term stewardship of conserved buildings is even a greater challenge. Current residents may be reluctant to commit future generations to the maintenance of a little-used historic structure, and thus pass up the opportunity to preserve these structures even when preservation funds are available.

A need for workshops geared towards local historic preservation efforts was also expressed, along with concern that historic and archeological resources within the White Mountains National Forest are not properly interpreted and conserved.

Limitations on the Use of SPNHF Data

It should be noted that the SPNHF data was collected primarily for internal use by the Society. The identification of specific resources, for example, farms identified by name and location, is sensitive information and should be carefully used respecting the privacy of landowners who may not know of the inclusion of their particular property, in the study.

Information on deer yards and fisheries was provided to the SPNHF by Will Staats and Scott Decker of New Hampshire Fish and Game as noted on the data base.

TOWN	SITE	OPERATOR
Clarksville	Lake Francis	DES - Water Resources Division
Clarksville	no name campground	RUDOLPH SHATNEY
Clarksville	BEN YOUNG HILL SCENIC VISTA	
Colebrook	Beaver Brook Falls State Park	NH Dept of Resources & Econ Dev
Colebrook	Patrick Woodlot	Society for the Prot. of NH Forests
Colebrook	OUR LADY OF GRACE SHRINE	MISSIONARY OF MARY IMMACULATE
Colebrook	ICE SKATING RINK	AMERICAN LEGION
Colebrook	COLEBROOK COUNTRY CLUB	NORMAN COTE
Colebrook	COLEBROOK HIGH SCHOOL	COLEBROOK
Colebrook	COLEBROOK ELEMENTARY SCHOOL	COLEBROOK
Colebrook	COLEBROOK FISH HATCHERY	NORTHERN FISH HATCHERIES
Colebrook	LEDGEWATER CAMPGROUND	FRANK MCKINNON
Colebrook	BALSAMS COUNTRY CLUB	TILLOTSON CORPORATION
Colebrook	MOHAWK VALLEY CAMPING AREA	PETER NUGENT
Columbia	Nash Stream Forest	NH Dept of Resources & Econ Dev
Columbia	Augustus Hemenway Memorial Forest	New England Forestry Foundation
Columbia	ARLEN BROOK ROADSIDE PARK	STATE OF NEW HAMPSHIRE
Columbia	LIME POND DAM	NH Dept of Fish & Game
Columbia	no name campground	MABEL SIMS
Dixville	Dixville Notch State Park	NH Dept of Resources & Econ Dev
Dixville	BALSAMS GRAND RESORT HOTEL	TILLOTSON CORPORATION
Dixville	BALSAMS WILDERNESS SKI AREA	TILLOTSON CORPORATION
Dixville	DIXVILLE FLUME	
Dixville	HUNTINGDON CASCADE	NH Dept of Resources & Econ Dev
Errol	Thirteen Mile Wood Scenic Easement	NH Dept of Resources & Econ Dev
Errol	Umbagog State Park	NH Dept of Resources & Econ Dev
Errol	Umbagog National Wildlife Refuge	US Fish & Wildlife Service
Errol	Big Island	Society for the Prot. of NH Forests
Errol	BOAT LAUNCH - AKERS POND	TOWN OF ERROL
Errol	ERROL SCHOOL	
Errol	NORTHERN WATERS CANOE ASSN.	NORTHERN WATERS CANOE ASSN.
Errol	BOAT LAUNCH ANDROSCOGGIN RIVER	UNION WATER POWER COMPANY
Errol	BOAT LAUNCH ANDROSCOGGIN RIVER	
Errol	BOAT LAUNCH MAGALLOWAY RIVER	STATE OF NEW HAMPSHIRE
Errol	BOAT LAUNCH LONG POND	
Errol	no name picnic area	STATE OF NH
Errol	no name campground	EDWARD DAMP
Millsfield	LOG HAVEN CAMPING AREA	REGGIE & MARY GOULLET
Millsfield	BOAT LAUNCH MOOSE POND	TWITCHELL HEIRS c/o WOODWARD
Odell	Nash Stream Forest	NH Dept of Resources & Econ Dev
Pittsburg	Gray Wildlife Management Area	NH Dept of Fish & Game
Pittsburg	Brown Wildlife Management Area	NH Dept of Fish & Game
Pittsburg	Connecticut Lakes State Forest	NH Dept of Resources & Econ Dev
Pittsburg	Lake Francis State Park	NH Dept of Resources & Econ Dev
Pittsburg	Lake Francis	DES - Water Resources Division
Pittsburg	Brundage Forest	Society for the Prot. of NH Forests
Pittsburg	Fourth Connecticut Lake Preserve	The Nature Conservancy
Pittsburg	Norton Pool Preserve	The Nature Conservancy
Pittsburg	French Wildlife Refuge	Audubon Society of NH
Pittsburg	Philbrook Town Park	Town of Pittsburg

Pittsburg	BOAT LAUNCH COON BROOK BOG	CHAMPION INTERNATIONAL CORP
Pittsburg	BOAT LAUNCH TERRELL POND	CHAMPION INTERNATIONAL CORP
Pittsburg	DEER MOUNTAIN CAMPGROUND	
Pittsburg	BOAT LAUNCH 2ND CONN LAKE	NEW ENGLAND POWER COMPANY
Pittsburg	no name picnic area	NEW ENGLAND POWER COMPANY
Pittsburg	BOAT LAUNCH 2ND CONN LAKE	
Pittsburg	BOAT LAUNCH EAST INLET	CHAMPION INTERNATIONAL CORP
Pittsburg	BOAT LAUNCH SCOTT BOG	CHAMPION INTERNATIONAL CORP
Pittsburg	TOWN TENNIS COURTS	TOWN OF PITTSBURG
Pittsburg	BOAT LAUNCH SITE	TOWN OF PITTSBURG
Pittsburg	BOAT LAUNCH	GERRY BOUTIN
Pittsburg	PARTRIDGE LODGE AND CABINS	GERRY BOUTIN
Pittsburg	BOAT LAUNCH	TOWN OF PITTSBURG
Pittsburg	HIDDEN VALLEY CAMPGROUND	BRUCE NAPSEY
Pittsburg	CAMP DRIFTWOOD	FORREST & JOAN ANGWIN
Pittsburg	NORTH COUNTRY LODGE AND CABINS	RONALD & JULIA KUNCIO
Pittsburg	WANDER INN	LOU & SARAH MEUNIER
Pittsburg	POWDERHORN LODGE AND CABINS	DAVE & JEAN BURRILL
Pittsburg	TIMBERLANDS LODGE AND CABINS	DOUG & LINDA FELTMATE
Pittsburg	TALL TIMBER LODGE AND CABINS	ANATOLE & CONSTANCE CARON
Pittsburg	YOUNGS CAMPGROUND	MERRILL & JUDY DALTON
Pittsburg	SPRUCE CONE CAMPS	GARY & DOT BEDELL
Pittsburg	BOAT LAUNCH	NEW ENGLAND POWER COMPANY
Pittsburg	no name picnic area	NEW ENGLAND POWER COMPANY
Pittsburg	THE GLEN	BETTY FALTON
Pittsburg	WATERFALL	
Pittsburg	GARFIELD FALLS	CHAMPION INTERNATIONAL CORP
Pittsburg	BOAT LAUNCH ROUND POND	CHAMPION INTERNATIONAL CORP
Second College	Second College Grant	
Second College Gt	HALF MILE FALLS	
Stewartstown	Coleman State Forest	NH Dept of Resources & Econ Dev
Stewartstown	Hurlburt Swamp Preserve	The Nature Conservancy
Stewartstown	BOAT LAUNCH BACK POND	NH Dept of Fish & Game
Stewartstown	BOAT LAUNCH BIG DIAMOND POND	NH Dept of Fish & Game
Stewartstown	BOAT LAUNCH LITTLE DIAMOND PD	NH Dept of Fish & Game
Stewartstown	SPORTSMANS LODGE	JD LINDSEY CORPORATION
Stratford	Town Forest	Town of Stratford
Stratford	Nash Stream Forest	NH Dept of Resources & Econ Dev
Stratford	Fort Hill Wildlife Management Area	NH Dept of Fish & Game
Stratford	Richardson Forest	Society for the Prot. of NH Forests
Stratford	Augustus Hemenway Memorial Forest	New England Forestry Foundation
Stratford	RIVERSIDE PARK	TOWN OF STRATFORD
Stratford	STRATFORD SCHOOL	TOWN OF STRATFORD
Stratford	BIG ROCK CAMPGROUND	RONALD & BLANCHE SCOTT
Stratford	STRATFORD BOG	Society for the Prot. of NH Forests
Stratford	STRATFORD HOLLOW PARK	TOWN OF STRATFORD
Wentworth Loc	Big Island State Forest	NH Dept of Resources & Econ Dev
Wentworth's Loc.	BOAT LAUNCH GREENOUGH POND	
Wentworth's Loc.	BROWN OWL CAMPS	ROBERT & DELORES BROAD
Beans_Grant	White Mountain National Forest	U.S. Forest Service
Carroll	Ammonoosuc Campground	

Carroll	KOA Campground	
Carroll	Twin Mountain Miniature Golf	
Carroll	Mount Washington Hotel & Village	
Carroll	Eisenhower Memorial Area	NH Dept of Resources & Econ Dev
Carroll	Living Water Campground	
Carroll	Mt Deception Camping Area	
Carroll	Tarry-Ho Campground	
Carroll	Twin Mountain Fish Hatchery	NH Dept of Fish & Game
Carroll	White Mountain National Forest	U.S. Forest Service
Carroll	Town of Carroll Recreation Area	Town of Carroll
Carroll	Agnew State Forest	NH Dept of Resources & Econ Dev
Carroll	Carroll Recreational Trail	NH Dept of Resources & Econ Dev
Carroll	Bretton Woods Ski Area	Herbert Boyton
Carroll	Beach Hill Campground	Edmund Bousquin
Chandler's Purch	White Mountain National Forest	U.S. Forest Service
Crawford's Purch	White Mountain National Forest	U.S. Forest Service
Crawford's Purch	LOWER AMMONOOSUC FALLS WMNF	US FOREST SERVICE
Crawford's Purch	UPPER AMMONOOSUC FALLS WMNF	US FOREST SERVICE
Dalton	Forest Lake State Park	NH Dept of Resources & Econ Dev
Dalton	Gorton Memorial Forest	New England Forestry Foundation
Dalton	WHITE MT LAKESIDE COTTAGES	RAYMOND GREGOIRE
Jefferson	Evergreen Campground	
Jefferson	Elementary School	Town of Jefferson
Jefferson	The Waumbek Country Club	
Jefferson	Town Skating Rink	Town of Jefferson
Jefferson	Santas Village, Inc.	
Jefferson	Deer Run Campground	
Jefferson	Israel River Campground	
Jefferson	Six Gun City	
Jefferson	White Mountain National Forest	US Forest Service
Jefferson	Agnew State Forest	NH Dept of Resources & Econ Dev
Jefferson	Pondicherry Wildlife Refuge	Audubon Society of NH
Jefferson	Pine Glen Farm	Pine Glen Farm
Lancaster	Weeks State Park	NH Dept of Resources & Econ Dev
Lancaster	White Mountain National Forest	US Forest Service
Lancaster	Lancaster Town Forest	Town of Lancaster
Lancaster	LANCASTER FAIRGROUNDS	COOS & ESSEX AGRICULTURAL SOC
Lancaster	KIWANIS PICNIC AREA	KIWANIS
Lancaster	MOUNTAIN LAKE CAMPGROUND	EUGENE & JUNE BUCHANAN
Lancaster	BOAT LAUNCH MARTIN MEADOW POND	TOWN OF LANCASTER
Lancaster	LANCASTER SCHOOL PLAYGROUND	TOWN OF LANCASTER
Lancaster	SCENIC EASEMENT	STATE OF NH
Lancaster	ROGERS CAMPGROUND	ROGER CHOQUETTE
Lancaster	SCENIC OVERLOOK	STATE OF NH
Lancaster	COLONEL TOWN RECREATION CENTER	TOWN OF LANCASTER
Lancaster	COLONEL TOWN COMMUNITY CAMP	TOWN OF LANCASTER
Low & Burbanks	White Mountain National Forest	U.S. Forest Service
Low & Burbank's	SALMACIS FALLS WMNF	US FOREST SERVICE
Low & Burbank's	MOSSY FALLS WMNF	US FOREST SERVICE
Low & Burbank's	CHANDLER FALLS WMNF	US FOREST SERVICE
Northumberland	Cape Horn State Forest	NH Dept of Resources & Econ Dev

Northumberland	Bog Hill Town Forest	Town of Northumberland
Northumberland	White Mountain National Forest	U.S. Forest Service
Northumberland	RIVERSIDE SPEEDWAY	CJ ROBINSON
Northumberland	MUNICIPAL FIELD	TOWN OF NORTHUMBERLAND
Northumberland	MUNICIPAL PLAYGROUND	TOWN OF NORTHUMBERLAND
Northumberland	GROVETON FISH & GAME CLUB	c/o ROBERT WILLIS
Stark	White Mountain National Forest	U.S. Forest Service
Stark	Nash Stream Forest	NH Dept of Resources & Econ Dev
Stark	Percy State Forest	NH Dept of Resources & Econ Dev
Stark	Devil's Slide State Forest	NH Dept of Resources & Econ Dev
Stark	Ammonoosuc River State Forest	NH Dept of Resources & Econ Dev
Stark	Kauffmann Forest	Society for the Prot. of NH Forests
Stark	BOAT LAUNCH CHRISTINE LAKE	
Stark	VILLAGE SCHOOL	TOWN OF STARK
Stark	SOUTH POND RECREATIONAL AREA	US FOREST SERVICE
Whitefield	Pondicherry Wildlife Refuge	Audubon Society of NH
Whitefield	WHITE MTS REGIONAL HIGH SCHOOL	
Whitefield	MOUNTAIN VIEW HOUSE	
Whitefield	SPAULDING INN & CLUB	
Whitefield	BOAT LAUNCH MIRROR LAKE	NH FISH AND GAME
Whitefield	WHITEFIELD RECREATION AREA	TOWN OF WHITEFIELD
Whitefield	BOAT LAUNCH FOREST LAKE	NH Dept of Transportation
Whitefield	BOAT LAUNCH BURNS POND	NH Dept of Transportation
Berlin	Jericho Lake Park	City of Berlin
Berlin	White Mountain National Forest	U.S. Forest Service
Berlin	Twitchell Environmental Study Area	NH Technical College
Berlin	BERLIN FISH HATCHERY	NH Dept of Fish & Game
Berlin	NH TECHNICAL COLLEGE BERLIN	NHTC BERLIN
Berlin	CENTENNIAL PARK	CITY OF BERLIN
Berlin	MEMORIAL FIELD	CITY OF BERLIN
Berlin	MARSTON ELEMENTARY SCHOOL	CITY OF BERLIN
Berlin	HOME BANK PARK	HOME BANK
Berlin	GLEN AVENUE PARK	CITY OF BERLIN
Berlin	COMMUNITY FIELD	CITY OF BERLIN
Berlin	HUTCHINS STREET PARK	CITY OF BERLIN
Berlin	BERLIN HIGH SCHOOL	CITY OF BERLIN
Berlin	BROWN SCHOOL PLAYGROUND	CITY OF BERLIN
Berlin	ROTARY PARK	BERLIN ROTARY
Berlin	RAMSEY HILL PARK	CITY OF BERLIN
Berlin	Mollidgwock State Park	NH Dept of Resources & Econ Dev
Cambridge	Thirteen Mile Wood Scenic Easement	NH Dept of Resources & Econ Dev
Cambridge	Umbagog State Park	NH Dept of Resources & Econ Dev
Cambridge	BOAT LAUNCH LAKE UMBAGOG	NH Dept of Resources & Econ Dev
Dummer	Thirteen Mile Wood Scenic Easement	NH Dept of Resources & Econ Dev
Dummer	Town Forest	Town of Dummer
Dummer	Pontook Reservoir	DES - Water Resources Division
Gorham	Moose Brook State Park	NH Dept of Resources & Econ Dev
Gorham	White Mountain National Forest	U.S. Forest Service
Gorham	Appalachian Trail Land	National Park Service
Gorham	Mascot Mine Natural Area	NH Dept of Resources & Econ Dev
Gorham	Ice Gulch Town Forest	Town of Gorham

Gorham	CASCADE FLATS PLAYGROUND	TOWN OF GORHAM
Gorham	SWIFTWATER GIRL SCOUT CAMP	SWIFTWATER GIRL SCOUT COUNCIL
Gorham	UPPER VILLAGE PLAYGROUND	TOWN OF GORHAM
Gorham	PENN ELEMENTARY SCHOOL	TOWN OF GORHAM
Gorham	GORHAM COMMON	TOWN OF GORHAM
Gorham	ANDROSCOGGIN VALLEY COUNTRY CLU	ANDROSCOGGIN VALLEY C.C.
Gorham	LIBBY MEMORIAL PARK	TOWN OF GORHAM
Gorham	TRIPLE FALLS WMNF	US FOREST SERVICE
Kilkenny	White Mountain National Forest	US Forest Service
Milan	Milan Hill State Park	NH Dept of Resources & Econ Dev
Milan	Nansen Ski Jump	NH Dept of Resources & Econ Dev
Milan	Cedar Pond Campground	
Milan	Cedar Pond	NH Dept of Fish & Game
Milan	Nansen Wayside Area	NH Dept of Resources & Econ Dev
Milan	Nay Pond	NH Dept of Fish & Game
Milan	White Mountain National Forest	U.S. Forest Service
Milan	Milan Town Forest	Town of Milan
Milan	Eagle's Field	Berlin Aerie #1464
Milan	Milan Village School	SAU #20
Milan	Milan Recreation Department	Town of Milan
Randolph	Cold Brook Falls	
Randolph	Mossy Glen	Town of Randolph
Randolph	Randolf Springs State Forest	NH Dept of Resources & Econ Dev
Randolph	White Mountain National Forest	U.S. Forest Service
Randolph	Ice Gulch Town Forest	
Randolph	PEBOAMAUK FALLS	
Randolph	POND OF SAFETY	JAMES RIVER CORPORATION
Randolph	GORDON FALLS WMNF	US FOREST SERVICE
Randolph	TAMA FALLS WMNF	US FOREST SERVICE
Randolph	COOSAUK FALLS WMNF	US FOREST SERVICE
Randolph	HITCHCOCK FALLS WMNF	US FOREST SERVICE
Randolph	DURAND LAKE	TOWN OF RANDOLPH
Shelburne	Scenic Easement	NH Dept of Transportation
Shelburne	White Birches Natural Area	Town of Shelburne
Shelburne	Lead Mine State Forest	NH Dept of Resources & Econ Dev
Shelburne	White Mountain National Forest	U.S. Forest Service
Shelburne	Chester Hayes Memorial Park	Town of Shelburne
Shelburne	Appalachian Trail	National Plark Service
Shelburne	Peabody Forest	Society for the Prot. of NH Forests
Shelburne	WHITE BIRCHES CAMPING AREA	RIDHARD TURCOTTE
Shelburne	PHILBROOK FARM INN	NANCY PHILBROOK & CONNIE LEDGE
Shelburne	GARDNER WAYSIDE AREA	
Shelburne	TIMBERLAND CAMPGROUND	JEFF DAVIS
Shelburne	no name natural area	NH DOT
Success	BOAT LAUNCH SUCCESS POND	JAMES RIVER CORPORATION
Bethlehem	Little River Campground	
Bethlehem	Bethlehem Elementary School	Town of Bethlehem
Bethlehem	Golf Course	Town of Bethlehem
Bethlehem	Maplewood Golf Country Club	
Bethlehem	Copper Cannon	
Bethlehem	Baker River Campground	

Bethlehem	White Mountain National Forest	U.S. Forest Service
Bethlehem	Cushman State Forest	NH Dept of Resources & Econ Dev
Bethlehem	Strawberry Hill State Forest	NH Dept of Resources & Econ Dev
Bethlehem	Bethlehem Swimming Pool	Town of Bethlehem
Bethlehem	Profile Recreational Trail	NH Dept of Resources & Econ Dev
Bethlehem	The Rocks	Society for the Prot. of NH Forests
Bethlehem	Bretzfelder Memorial Park	Society for the Prot. of NH Forests
Bethlehem	The White Mountain School	
Bethlehem	Reynolds Memorial Forest	New England Forestry Foundation
Bethlehem	Community Basketball Courts & Rink	Town of Bethlehem
Bethlehem	Town Playground	Town of Bethlehem
Bethlehem	Profile Jr/Sr High School	SAU 35
Bethlehem	Profile Jr/Sr High School (Cont'd)	SAU 35
Bethlehem	Tennis Courts	Town of Bethlehem
Bethlehem	Elm Street Community Fields	Town of Bethlehem
Bethlehem	Snowy Mountain Campground	
Bethlehem	Wayside Inn	Victor Hoffman
Easton	Tamarack Tennis Camp	
Easton	White Mountain National Forest	US Forest Service
Franconia	Scenic Overlook	NH Dept of Transportation
Franconia	Fransted Campground	
Franconia	Franconia Elementary School	Town of Franconia
Franconia	Profile Club	
Franconia	Franconia Skating Rink	Town of Franconia
Franconia	Franconia Inn	
Franconia	Franconia Notch State Park	NH Dept of Resources & Econ Dev
Franconia	White Mountain Nat'l Forest	US Forest Service
Franconia	Franconia Notch State Park (Cont'd)	NH Dept of Resources & Econ Dev
Franconia	White Mountain Nat'l Forest (Cont'd	US Forest Service
Franconia	Fox Hill Park	Town of Franconia
Franconia	Franconia Town Forest	Town of Franconia
Franconia	Forest Place	Town of Franconia
Landaff	White Mountain National Forest	US Forest Service
Landaff	Scotland Brook Wildlife Sanctuary	Audubon Society of NH
Landaff	Blue School	Landaff Board of Education 35
Landaff	Finkle Field	Town of Landaff
Lisbon	Salmon Hole Campground	
Lisbon	Mink Brook Campground	
Lisbon	Lisbon Public School	Town of Lisbon
Lisbon	Lisbon Lions Club Field	Lisbon Lions Club
Lisbon	Ammonoosuc Inn & Country Club	
Lisbon	Lisbon Lions Club Ski Tow	Lisbon Lions Club
Lisbon	Little Brook KOA Campground	
Lisbon	Lisbon Lion's Club Courts	Lisbon Lion's Club
Littleton	Apthorp Common	Town of Littleton
Littleton	Remich Park	Town of Littleton
Littleton	Mildred Lakeway Elementary School	
Littleton	Moore Dam Reservoir	New England Power
Littleton	The Dells	Littleton Conservation Commission
Littleton	Mt. Eustis Ski Area	Town of Littleton
Littleton	Littleton High School	Town of Littleton

Littleton	Crazy Horse Campground	
Littleton	Partridge Lake	NH Dept of Transportation
Littleton	Moore Dam Reservoir (Cont'd)	New England Power
Littleton	Remich Park (Cont't)	Town of Littleton
Littleton	Remich Park 2 (Cont'd)	Town of Littleton
Littleton	Horse Cemetery	Town of Littleton
Littleton	Driving Range	Peter McCabe & John Krol
Littleton	Hitchner Field	Hitchner Manufacturing
Littleton	Kilburn Crags	Littleton Conservation Commission
Littleton	Eaton Property	Town of Littleton
Littleton	Eaton Property (Cont'd)	Town of Littleton
Littleton	Home Health Field	Home Health Agency (North Country)
Littleton	Norton Field	Town of Littleton
Littleton	Boy Scout Campground	Boy Scouts of America, Troop 209
Littleton	Mill Street Picnic Area	Town of Littleton
Littleton	Littleton Bowling Center	King Covey
Littleton	Picnic/Rest Area	NH Dept of Transportation
Lyman	Ogontz	
Lyman	Town Swimming	Town of Lyman
Lyman	Mitchell Park	Town of Lyman
Monroe	Monroe Elementary School	Town of Monroe
Sugar Hill	Sunset Hill Golf Course	
Sugar Hill	Edwin MacEwan Memorial Tennis Court	Town of Sugar Hill
Sugar Hill	Streeter Pond	
Sugar Hill	Sugar Hill Town Forest	Town of Sugar Hill
Sugar Hill	Reynolds Memorial Forest	New England Forestry Foundation
Sugar Hill	Coffin Pond	Sugar Hill Conservation Commission
Bath	Wild Ammonoosuc Fish & Game	
Bath	Bath Village School	Town of Bath
Bath	Bath Town Forest	Town of Bath
Bath	Twin River Campground	Bruce & Leonard Bienvenue
Benton	White Mountain National Forest	U.S. Forest Service
Benton	Benton State Forest	NH Dept of Resources & Econ Dev
Benton	Mount Moosilauke	Dartmouth College
Haverhill	Meadows Drive-in	
Haverhill	Bedell Bridge	NH Dept of Resource & Economic Dev
Haverhill	Black Mountain State Forest	NH Dept of Resource & Economic Dev
Haverhill	Connecticut River Boat Landing	Town of Haverhill
Haverhill	French Pond	NH Department of Transportation
Haverhill	Blackmount Country Club	Robert & Linda Stoddard
Haverhill	Oliverian Valley Campground	Lara Wolter
Haverhill	Oliverian Valley Campground (Cont'd	Lara Wolter
Haverhill	Oliverian Brook	Town of Haverhill
Haverhill	Haverhill Congregational Church	Haverhill Congregational Church
Haverhill	Haverhill Academy	Haverhill Heritage
Haverhill	Haverhill Corner Common	Precinct of Haverhill Corner
Haverhill	Haverhill Cooperative Middle School	Haverhill Cooperative School Dist
Haverhill	Mountain Lakes District	Mountain Lakes District
Haverhill	VFW Memorial Field	VFW
Haverhill	Woodsville Community Field	Precinct of Woodsville
Haverhill	Upper Valley Prop Busters	Stuart McDanolds

Haverhill	Woodsville Elementary School	Haverhill Cooperative School Dist
Haverhill	Woodsville High School	Haverhill Cooperative School Dist
Haverhill	Bedell Bridge Wildlife Mgt Area	NH Dept of Fish & Game
Haverhill	Wood Pond Access	NH Dept of Fish & Game
Haverhill	North Haverhill Fairgrounds	North Haverhill Fair Association
Warren	Scenic Overlook	NH Dept of Transportation
Warren	School Playground	Town of Warren
Warren	Sanford Memorial Park	Town of Warren
Warren	Town Common	Town of Warren
Warren	Town Forest	Town of Warren
Warren	Davis-White State Forest	NH Dept of Resources & Econ Dev
Warren	Derosia Tract	Federal Government
Warren	Site 2 Baker River	DES - Water Resources Division
Warren	Warren Fish Hatchery	NH Dept of Fish & Game
Warren	White Mountain National Forest	U.S. Forest Service
Warren	Hildreth Dam	U.S. Forest Service
Warren	Warren Historic Museum	Warren Historical Society
Warren	Mooshillock Campground	Edward & Robin Paradis
Warren	Scenic View Campground	Donald McKay
Warren	Warren Recreational Trail	NH Dept of Resources & Econ Dev
Warren	Appalachian Trail	National Park Service
Warren	Phrogg Hollow Mini Golf Course	
Wentworth	Ballfield & Swimming	Town of Wentworth
Wentworth	Town Forest	Town of Wentworth
Wentworth	Plummers Ledge Natural Area	NH Dept of Resources & Econ Dev
Wentworth	Pemigewasset	
Wentworth	Site 6-A Baker River	DES - Water Resources Division
Wentworth	Site 7 Baker River	DES - Water Resources Division
Wentworth	White Mountain National Forest	U.S. Forest Service
Wentworth	Appalachian Trail	National Park Service
Wentworth	Swain Brook Campground	Reed Litner
Wentworth	Norway Pines	American Legion
Wentworth	Pine Haven Campground	
Wentworth	Wentworth School	
Albany	Mary P. Scott Nature Preserve	Chocorua Lake Conserv. Foundation
Albany	White Mountain National Forest	US Forest Service
Albany	Pine Knoll Camping	Pine Knoll Camping Inc
Albany	Camp Atahi	C/O Patricia Beard
Albany	Lovejoy Wildlife Preserve	Audubon Society of NH
Albany	The Piper Trail	Richard Moulton
Bartlett	Heritage NH	Robert Horrell
Bartlett	Storyland	Robert Morrell
Bartlett	Green Meadow Camping Area	James Illsley
Bartlett	White Mountain National Forest	
Bartlett	Mt Washington Valley Ski Tour	William Levy
Bartlett	Glen-Ellis Campground	Richard Goff & Wm Murphy
Bartlett	Mt Stanton Trail	US Forest Service
Bartlett	Saco River	US Fish & Wildlife Service
Bartlett	Bartlett Covered Bridge	North Conway Bank
Bartlett	Merriman State Forest	State of NH DRED
Bartlett	Humphrey's Ledge State Forest	State of NH DRED

Bartlett	Attitash Ski Area	Mt Attitash Lift Corp
Bartlett	Bartlett Elementary School	Town of Bartlett
Bartlett	Bear Notch Road	State of New Hampshire
Bartlett	Silver Springs Campground	Raymond Shoen
Bartlett	Mt Kearsarge North Trail	US Forest Service
Bartlett	Moat Mt Trail/Diana's Bath	US Forest Service
Bartlett	Echo Lake Cathedral Ledge SP	State of NH DRED
Beans_Purchase	White Mountain National Forest	U.S. Forest Service
Beans_Purchase	MORIAH GORGE WMNF	US FOREST SERVICE
Beans_Purchase	WILD RIVER CAMPGROUND WMNF	US FOREST SERVICE
Chatham	White Mountain National Forest	U.S. Forest Service
Conway	Davis Park	Town of Conway
Conway	Eastern Slope Camping Area	
Conway	North Conway Country Club	
Conway	Whittiker Town Woods	Town of Conway
Conway	Pudding Pond	Town of Conway
Conway	Saco Valley Overlook	Town of Conway
Conway	Town Forest	Town of Conway
Conway	Pequaket Saco Property 1	Town of Conway
Conway	Artist Falls Brook	Town of Conway
Conway	Mount Cranmore	
Conway	Echo Lake-Cathedral Ledge St. Park	NH Dept of Resources & Econ Dev
Conway	Saco River Access	Town of Conway
Conway	Saco River Camping Area	
Conway	The Beach Camping	
Conway	White Mountain National Forest	U.S. Forest Service
Conway	Conway Common Lands State Forest	NH Dept of Resources & Econ Dev
Conway	Smith Eastman Park	Town of Conway
Conway	Conway Community Building	Town of Conway
Conway	Nasby King Field	Conway American Legion Post 46
Conway	Hussey Park	Town of Conway
Conway	Schouler Park	Town of Conway
Conway	Conway Lake Beach	Town of Conway
Conway	Conway Community Building (Cont'd)	Town of Conway
Conway	Smith Eastman Park (Cont'd)	Town of Conway
Conway	Green Hills Preserve	The Nature Conservancy
Conway	Dahl Sanctuary	Audubon Society of NH
Conway	Walker Pond Conservation Land	Town of Conway
Conway	Conway Scenic Overlook	NH Dept of Transportation
Conway	Cranmore Mountain Tennis	Mount Cranmore Inc
Conway	Conway Scenic Railroad	Conway Scenic Railroad
Conway	Pirate's Cove	Pirate's Cove No. Conway
Conway	Fun Factory	Anna-Lisa Hermanson
Conway	Capt Joe's Mini Golf	Joesph Sullivan
Conway	Saco Bound	Thomas McSherry
Conway	Swift River Covered Bridge	Town of Conway
Conway	Saco River Covered Bridge	NH Department of Transportation
Conway	Saco River	State of NH Fish & Game
Cutt's Grant	White Mountain National Forest	U.S. Forest Service
Eaton	Hoyt Wildlife Sanctuary	Audubon Society of NH
Eaton	Cove Camping Area	Kenneth Dean

Eaton	Rock House Mountain Farm	John & Elizabeth Edge
Eaton	Town Beach	Town of Eaton
Eaton	Camp Waukeela	Edith Middleton/Waukeela In
Eaton	Snow Village Lodge	Franklyn & Trudy Cutrone
Eaton	Hatch Pond	State of NH Fish & Game
Eaton	Foss Mountain	Town of Eaton
Eaton	Shepherd River	Town of Eaton
Eaton	Purity Springs Resort	Purity Springs Resort
Greens Grant	Mt Washington Auto Road	
Greens Grant	White Mountain National Forest	US Forest Service
Hadley's Purch	White Mountain National Forest	U.S. Forest Service
Hale's Location	White Mountain National Forest	U.S. Forest Service
Hale's Location	Echo Lake-Cathedral Ledge State Prk	NH Dept of Resources & Econ Dev
Harts Location	Scenic Overlook	NH Dept of Transportation
Harts Location	White Mountain National Forest	U.S. Forest Service
Harts Location	Crawford Notch State Park	NH Dept of Resources & Econ Dev
Harts Location	Crawford Notch Gen Store/Camp	Ward & Margaret McAllister
Harts Location	Crawford Notch Gen Store/Camp Cont.	Ward & Margaret McAllister
Harts Location	Amsden Memorial Trail	Town of Harts Location
Harts Location	Crawford Notch State Park (Cont'd)	NH Dept of Resources & Econ Dev
Jackson	Dundee Forest	New England Forestry Foundation
Jackson	White Mountain National Forest	US Forest Service
Jackson	Prospect Farm	Town of Jackson
Jackson	Rocky Branch Trail	US Forest Service
Jackson	Hall's Ledge Trail	US Forest Service
Jackson	Hutmen's Trail	US Forest Service
Jackson	Winniweta Falls Trail	US Forest Service
Jackson	Black Mt Ski Area	Black Mt Development Corp
Jackson	Whitney's Inn	Robert Bowman
Jackson	Eagle Mt Resort	CHP Realty C/O James Parath
Jackson	Jackson Falls	Town of Jackson
Jackson	Wentworth Resort	Jackson Golf & Sleigh Cntr
Jackson	Jackson Grammar School	Jackson School Dostrict
Jackson	Jackson Ski Touring	Jackson Ski Touring Found
Jackson	Memorial Park	Town of Jackson
Jackson	Jackson Covered Bridge	State of New Hampshire
Jackson	Nestlenook Recreation Center	Olde Jackson Village Inc
Livermore	Crawford Notch State Park	NH Dept of Resources & Econ Dev
Livermore	White Mountain National Forest	US Forest Service
Madison	Madison Park	Town of Madison
Madison	Stuart Mudd Mem. Nature Preserve	Town of Madison
Madison	Madison Boulder Woods Preserve	The Nature Conservancy
Madison	Goodwin Town Forest	Town of Madison
Madison	West Branch Pine Barrens Preserve	The Nature Conservancy
Madison	West Branch Conservation Land	Town of Madison
Madison	Carroll Cty Fish & Game Club	Carroll County Fish & Game
Madison	Upper Pequawket Pond	State of NH Fish & Game
Madison	Pea Porridge Pond	Pea Porridge Pond Assn
Madison	Madison Boulder St. Geol. Site	State of NH Parks & Rec
Madison	Burke Field	Town of Madison
Madison	Silver Lake	State of NH Fish & Game

Madison	Big Island	Town of Madison
Madison	King Pine Ski Area	Purity Springs Resort
Madison	Purity Springs Resort	Purity Springs Resort
Madison	Hoyt Wildlife Sanctuary	Audubon Society of NH
Martins Location	White Mountain National Forest	U.S. Forest Service
Martins Location	White Mountain National Forest Cont	U.S. Forest Service
Martin's Location	DOLLY COPP CAMPGROUND WMNF	US FOREST SERVICE
Martin's Location	BARNES FIELD CAMPING AREA WMNF	US FOREST SERVICE
Pinkham's Grant	White Mountain National Forest	
Pinkham's Grant	CRYSTAL CASCADE WMNF	US FOREST SERVICE
Pinkham's Grant	WILDCAT MOUNTAIN SKI AREA	WILDCAT MOUNTAIN SKI AREA
Pinkham's Grant	GLEN ELLIS FALLS	US FOREST SERVICE
Sargent's Purch.	TUCKERMAN RAVINE WMNF	US FOREST SERVICE
Sargents Purchase	White Mountain National Forest	U.S. Forest Service
Sargents Purchase	Washington Mountain State Park	NH Dept of Resources & Econ Dev
Thompson & Meserv	White Mountain National Forest	U.S. Forest Service
Thompson & Meserv	MT WASHINGTON COG RAILWAY	MT WASHINGTON COG RAILWAY
Campton	Waterville Estates	
Campton	Campton School	Town of Campton
Campton	Branch Brook	
Campton	Blair State Forest	NH Dept of Resources & Econ Dev
Campton	Livermore Falls State Forest	NH Dept of Resources & Econ Dev
Campton	Robartwood Waterfowl Refuge	NH Dept of Fish & Game
Campton	White Mountain National Forest	U.S. Forest Service
Campton	Pemigewasset Wildlife Mgt. Area	NH Dept of Fish & Game
Ellsworth	White Mountain National Forest	US Forest Service
Ellsworth	Clarada Wildlife Management Area	NH Dept of Fish & Game
Groton	Hebron-Groton Athletic Association	
Groton	Crosby Mountain State Forest	NH Dept of Resources & Econ Dev
Groton	Province Road State Forest	NH Dept of Resources & Econ Dev
Groton	Sculptured Rocks	NH Dept of Resources & Econ Dev
Groton	Spectacle Pond	NH Dept of Transportation
Groton	Cockermouth Forest	Society for the Prot. of NH Forests
Lincoln	Country Bumpkins	William Carvello
Lincoln	Cold Spring Campground	
Lincoln	Lincoln Grammar School	Town of Lincoln
Lincoln	Lin-Wood High School	
Lincoln	Municpal Skating Rink	Town of Lincoln
Lincoln	Clarks Trading Post	
Lincoln	Whale's Tale	
Lincoln	Loon Mountain	
Lincoln	Lincoln Ski Area	Town of Lincoln
Lincoln	Fay State Forest	NH Dept of Resources & Econ Dev
Lincoln	Franconia Notch State Park	NH Dept of Resources & Econ Dev
Lincoln	Ladys Bathtub	Town of Lincoln
Lincoln	White Mountain Nat'l Forest	US Forest Service
Lincoln	White Mountain Nat'l Forest Cont'd	US Forest Service
Plymouth	Plymouth Area High School	
Plymouth	Plymouth Area High School (Cont'd)	
Plymouth	Plymouth Town Common	
Plymouth	Fox Pond Park	Plymouth Parks and Recreation

Plymouth	Plymouth Sands	
Plymouth	Plymouth Elementary School	Plymouth School Board - SAU 48
Plymouth	Plymouth Elementary School (Cont'd)	Plymouth School Board
Plymouth	Plymouth Elementary School 2 Cont'd	Plymouth School Board
Plymouth	Fox Pond Park (Cont'd)	Plymouth Parks and Recreation Dept.
Plymouth	Fox Pond Park 2 (Cont'd)	Plymouth Parks and Recreation Dept.
Plymouth	Tenney Mountain	
Plymouth	Langdon Park	Plymouth State College
Rumney	Quincy Road Ballfield	Town of Rumney
Rumney	Polar Caves	
Rumney	Quincy Bog	
Rumney	Baker State Forest	NH Dept of Resources & Econ Dev
Rumney	Baker River Campground	
Rumney	Happy T Ranch	
Rumney	Mountain Pines	
Rumney	Pine Ridge	
Rumney	Stinson Lake	NH Dept of Fish & Game
Rumney	White Mountain National Forest	U.S. Forest Service
Rumney	Rumney Conference Grounds	Rumney Bible Conference
Rumney	Rumney Town Forest	Town of Rumney
Rumney	Picnic/Rest Area	NH Dept of Transportation
Thornton	Goose Hollow Travel Trailer	
Thornton	Thornton School	Town of Thornton
Thornton	Waterville Valley Gateway	
Thornton	White Mountain National Forest	U.S. Forest Service
Thornton	Pemigewasset Wildlife Mgt. Area	NH Dept of Fish & Game
Thornton	Ballou Property	NH Dept of Fish & Game
Thornton	Sugar Shack Golf & Touring	Brad Benton
Thornton	Pemigewasset River Campground	Alexandria Kroon
Thornton	Owlsnest Golf Club	Owls Street Association
Waterville Valley	Waterville Campground	
Waterville Valley	Osceola Library	Town of Waterville Valley
Waterville Valley	Snow's Mountain Ski & Snowboard Prk	Waterville Valley Ski Area, Ltd.
Waterville Valley	White Mountain Tennis Center	S Corporation
Waterville Valley	Tecumseh Mountain Ski Area	Waterville Valley Ski Area, Ltd.
Waterville Valley	Waterville Valley Golf Course	Waterville Company, Inc.
Waterville Valley	Waterville Valley Ice Arena	Waterville Valley Ski Area, Ltd.
Waterville Valley	Corcoran's Pond	Waterville Company, Inc.
Waterville Valley	White Mountain Athletic Club	S Corporation
Waterville Valley	Packard's Field/Playground	Town of Waterville Valley
Waterville Valley	Waterville Valley School/Comm. Ctr.	Waterville Valley Recreation Dept.
Waterville Valley	White Mountain National Forest	U.S. Forest Service
Waterville Valley	White Mountain National Forest Cont	U.S. Forest Service
Woodstock	Broken Branch KOA	
Woodstock	Lost River	
Woodstock	Town Forest	
Woodstock	Jack O' Lantern Motor Resort	
Woodstock	Merriam Lot	Town of Woodstock
Woodstock	Fay State Forest	NH Dept of Resources & Econ Dev
Woodstock	Cascade Park	Town of Woodstock
Woodstock	Lost River Valley Campground	

Campton	Waterville Estates	
Campton	Campton School	Town of Campton
Campton	Branch Brook	
Campton	Blair State Forest	NH Dept of Resources & Econ Dev
Campton	Livermore Falls State Forest	NH Dept of Resources & Econ Dev
Campton	Robartwood Waterfowl Refuge	NH Dept of Fish & Game
Campton	White Mountain National Forest	U.S. Forest Service
Campton	Pemigewasset Wildlife Mgt. Area	NH Dept of Fish & Game
Ellsworth	White Mountain National Forest	US Forest Service
Ellsworth	Clarada Wildlife Management Area	NH Dept of Fish & Game
Groton	Hebron-Groton Athletic Association	
Groton	Crosby Mountain State Forest	NH Dept of Resources & Econ Dev
Groton	Province Road State Forest	NH Dept of Resources & Econ Dev
Groton	Sculptured Rocks	NH Dept of Resources & Econ Dev
Groton	Spectacle Pond	NH Dept of Transportation
Groton	Cockermouth Forest	Society for the Prot. of NH Forests
Lincoln	Country Bumpkins	William Carvello
Lincoln	Cold Spring Campground	
Lincoln	Lincoln Grammar School	Town of Lincoln
Lincoln	Lin-Wood High School	
Lincoln	Municpal Skating Rink	Town of Lincoln
Lincoln	Clarks Trading Post	
Lincoln	Whale's Tale	
Lincoln	Loon Mountain	
Lincoln	Lincoln Ski Area	Town of Lincoln
Lincoln	Fay State Forest	NH Dept of Resources & Econ Dev
Lincoln	Franconia Notch State Park	NH Dept of Resources & Econ Dev
Lincoln	Ladys Bathtub	Town of Lincoln
Lincoln	White Mountain Nat'l Forest	US Forest Service
Lincoln	White Mountain Nat'l Forest Cont'd	US Forest Service
Plymouth	Plymouth Area High School	
Plymouth	Plymouth Area High School (Cont'd)	
Plymouth	Plymouth Town Common	
Plymouth	Fox Pond Park	Plymouth Parks and Recreation
Plymouth	Plymouth Sands	
Plymouth	Plymouth Elementary School	Plymouth School Board - SAU 48
Plymouth	Plymouth Elementary School (Cont'd)	Plymouth School Board
Plymouth	Plymouth Elementary School 2 Cont'd	Plymouth School Board
Plymouth	Fox Pond Park (Cont'd)	Plymouth Parks and Recreation Dept.
Plymouth	Fox Pond Park 2 (Cont'd)	Plymouth Parks and Recreation Dept.
Plymouth	Tenney Mountain	
Plymouth	Langdon Park	Plymouth State College
Rumney	Quincy Road Ballfield	Town of Rumney
Rumney	Polar Caves	
Rumney	Quincy Bog	
Rumney	Baker State Forest	NH Dept of Resources & Econ Dev
Rumney	Baker River Campground	
Rumney	Happy T Ranch	
Rumney	Mountain Pines	
Rumney	Pine Ridge	
Rumney	Stinson Lake	NH Dept of Fish & Game

Rumney	White Mountain National Forest	U.S. Forest Service
Rumney	Rumney Conference Grounds	Rumney Bible Conference
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Rumney	Picnic/Rest Area	NH Dept of Transportation
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Thornton	White Mountain National Forest	U.S. Forest Service
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Waterville Valley	Snow's Mountain Ski & Snowboard Prk	Waterville Valley Ski Area, Ltd.
Waterville Valley	White Mountain Tennis Center	S Corporation
Waterville Valley	Tecumseh Mountain Ski Area	Waterville Valley Ski Area, Ltd.
Waterville Valley	Waterville Valley Golf Course	Waterville Company, Inc.
Waterville Valley	Waterville Valley Ice Arena	Waterville Valley Ski Area, Ltd.
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Waterville Valley	White Mountain Athletic Club	S Corporation
Waterville Valley	Packard's Field/Playground	Town of Waterville Valley
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Waterville Valley	White Mountain National Forest	U.S. Forest Service
Waterville Valley	White Mountain National Forest Cont	U.S. Forest Service
Woodstock	Broken Branch KOA	
Woodstock	Lost River	
Woodstock	Town Forest	
Woodstock	Jack O' Lantern Motor Resort	
Woodstock	Merriam Lot	Town of Woodstock
Woodstock	Fay State Forest	NH Dept of Resources & Econ Dev
Woodstock	Cascade Park	Town of Woodstock
Woodstock	Lost River Valley Campground	
Woodstock	Mirror Lake	NH Dept of Transportation
Woodstock	White Mountain National Forest	U.S. Forest Service
Woodstock	Maple Haven Campground	Daniel Barry
Woodstock	Waterest Campground	Brale, Inc.
Woodstock	Town Lot #20	Town of Woodstock
Woodstock	White Mountain Motor Park	Donald Avery
Woodstock	Woodstock Common	Town of Woodstock
Woodstock	Mt. Moosilauke	

Woodstock	Mirror Lake	NH Dept of Transportation
Woodstock	White Mountain National Forest	U.S. Forest Service
Woodstock	Maple Haven Campground	Daniel Barry
Woodstock	Waterest Campground	Brale, Inc.
Woodstock	Town Lot #20	Town of Woodstock
Woodstock	White Mountain Motor Park	Donald Avery
Woodstock	Woodstock Common	Town of Woodstock
Woodstock	Mt. Moosilauke	

REGIONAL ENVIRONMENTAL PLANNING PROGRAM

Land and Cultural Heritage Conservation Project

FINAL REPORT - JUNE 30, 1998

North Country Council, Inc.

Attachment E

STATEMENT OF SENATOR SYLVIA LARSEN
JAN.20TH, 2000

RE: Senate Bill 401, creating a NH land & Community Heritage Investment program

Good Afternoon. My name is Sylvia Larsen, Senator from District 15, representing Concord, Pembroke and Hopkinton. I am here today to testify in support of Senate Bill 401, establishing the New Hampshire Land and Community Heritage Investment Program.

While I did not serve on the Commission, which created the details of this bill, I believe strongly in the wisdom of our enacting of this forward-thinking legislation. We have worked hard to find the monies to fund our educational responsibilities to this and future generations of children of this state. Yet, we must not let this deter us from considering the equally important responsibility of protecting our treasured quality of life through land and heritage preservation for future generations. While some might ask, "Why this year?", I would reply " If not now, when? *When* is there a better time?"

I believe that it is important for all of us to recognize the opportunity we have in SB 401. The opportunity to establishing a lasting legacy that will sustain our economic growth, which protecting the quality of life we all so value here in New Hampshire. Like the early 80's when the LCIP program was enacted, a robust economy and growth are putting severe pressures on New Hampshire's natural , cultural and historical wealth. Forests, farms and wildlife habitat are dwindling. Drinking water supplies are threatened and open space is disappearing at an alarming rate of 20,0000 acres per year. What we value most, the very *essence* if New Hampshire is in danger of vanishing.

Projections are that the population of our state is likely to double in the next fifty years.. That means that it is all the more important that we not put off the issues of conservation and quality of life for some future legislature. As we enter the 21st century we have the opportunity to establish a lasting conservation legacy that will protect our quality of life , knowing that it is a wise investment when open space supports 25% of the state's economy and historic preservation creates more jobs that new construction.

An important feature of the LCHIP program is that it encourages public/ private partnership- a proven model that we know works effectively to foster private support of worthy public purposes such as those of the Business Finance Authority and the Community Development Finance Authority.

On the bottom of page 4 of the bill, line 30 there is a list of eligible applicants for the matching funds and they include state agencies, municipalities and publicly supported nonprofit corporations and partners. Eligible applicants, other than state agencies, must have a minimum match of 40% with at least 20% of that in cash. Those with a high degree of matching funds are ranked higher than other applications, thus encouraging even greater levels of public participation and support.

To further guarantee public support, protections on page 2 line 6 state that there shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds be made available unless the projects involve a willing seller and a willing buyer.

With public opinion surveys showing that 86% either strongly support or somewhat support creation of a new program by the Legislature to protect open space, historic and cultural resources, we can expect strong public financial support for this public/private partnership. I believe the people of this state are ready and eager to reinvest in their state. It's up to us to make this program a reality.

In these past few years we as a Legislature have finally recognized the precious investment that education is for the future of our state and its children. Now we must recognize the equally precious investment we must make in New Hampshire's natural, cultural and historical treasures, so special to our quality of life.

Attachment F

TESTIMONY OF THOMAS BURACK,
FORMER CHAIR,
LAND & COMMUNITY HERITAGE COMMISSION,
ON SENATE BILL 401,
BEFORE THE NH SENATE ENVIRONMENT COMMITTEE,
JANUARY 20, 2000

Chairman Russman and Members of the Committee:

My name is Tom Burack and I come before you in strong support of Senate Bill 401, creating the Land and Community Heritage Investment Program. As many of you are aware, I had the honor and privilege of chairing the Land and Community Heritage Commission, created out of Senate Bill 493 from the 1998 session of the General Court.

The Commission ended its work in November of 1999 with a final report which was mailed to all of you. Over the period from July of 1998 to November of 1999, the Commission met 22 times for over 70 hours of discussion, deliberation and consensus-building. The Commission's 20 members from the public and private sector, whose names are listed in the report, worked hard and determined that we are permanently losing some of our state's cherished natural, cultural and historic resources – and along with them the essence of NH and our quality of life. The Commission concluded that we can do something about this problem. Our many recommendations for creating a new public-private partnership to address this issue are contained in the final report.

I am most pleased and excited that the sponsors of Senate Bill 401 have chosen to include in the bill, nearly exactly, all of the Commission's recommendations for creating this new program. The one place where the bill differs from the Commission recommendations, that of the funding level, is understandable. I understand that the $6.2 million level in the bill is intended to be a start up amount, with the full $ 12 million annual funding level recommended by the Commission to be contemplated in the next legislative session when the new budget is before the General Court.

I won't take the time here to review the details of the commission's recommendations, but will, instead, highlight some of the most important tenets of the bill:

- That the program be **permanent;**
- That the program provide **grants, block grants, loans, and loan guarantees** to state agencies or any political subdivision of the state, municipalities and publicly-supported non-profit organizations;
- That a **whole range of natural, cultural and historic resources be eligible for funding;**
- That a **range of protection techniques** be allowed for use of the funds;

- That a specific set of **objective criteria** be included to form the basis for **selecting among competing projects**;
- That **stewardship planning and funding** be an integral part of the program; and
- That a **strong private partnership** be institutionalized within the effort.

Speaking for myself and other members of the Commission, some of whom are present today, I wish to, again, thank the sponsors for putting forth such a strong piece of legislation in response to the Commission's recommendations.

I urge the Senate Environment Committee to vote the bill Ought to Pass with the amendment put forth today and further urge the Committee members and sponsors to work closely with the rest of your colleagues in the Senate to pass the bill and send it to the House with a strong message that this is something all in the General Court should support for the future of New Hampshire.

Thank you for the opportunity to appear before you today. I would be pleased to answer any questions you may have.

Attachment 6

1/20/00, Testimony by Patryc Wiggins, Director of the Economic Corporation of Newport
Senate Bill 401: *Creation of Land and Community Heritage Investment Program*

I am Patryc Wiggins, Director of the Economic Corporation of Newport (ECON) and the daughter of NH State Representative Celestine Kennedy Wiggins. I am grateful to testify in support of Senate Bill 401. I thank those responsible for bringing this Bill forward.

ECON's central focus this year is the rehabilitation of the Eagle Block. Built as the Eagle Hotel in 1825, in the aftermath of Cheshire County's division to form Sullivan County, the Eagle Block now symbolizes NH State Representative William Cheney's coup in securing Newport as the County Seat. Hotels like the Eagle were built in most all county seat towns, state architectural historian Dr. James L.Garvin tells us. Today, Newport's Eagle Block is the only Federal era brick hotel of its type that remains in northern New England. On the National Historic Register for both architectural and historical significance, it sits three stories high -- one of the largest single standing buildings of its era in the state -- at the corner of Main and Central Streets, on a one acre lot next to the Sugar River, as a gateway to not only downtown Newport, but to the region.

Newport's Main and Central Streets are also two state highways: Routes 11 & 103. When the Eagle was built these highways were two of NH's earliest turnpikes: the Cornish and the Croydon Turnpikes. Today, in the summer, 18,000 cars a day pass by the Eagle Block upon the ruts of the Concord Stage Coaches who 170 years ago transported elite travelers and members of the legal profession -- the primary patrons of the early Eagle -- to this pre-industrial government center. The Eagle Block, distinguished by its locally made salmon-colored, smaller than standard bricks, Palladian windows, relieving arches and blind arcades, outlasts the town's neglect through an extended era of industrialization.

With one of New Hampshire's two remaining woolen mills and the country's largest gun factory, Newport's people continue to work in traditional manufacturing jobs. 65% of Newport adults work in town. With unemployment around 1%, 10% live below poverty, and 67% have low to moderate incomes. Newport's social statistics reflect a threadbare experience spun from repeated generations with limited resources and opportunities. This epic story is mirrored in the condition of the Eagle Block. Notably, this story is a microcosm of the state and even national experience. Newport's economic history directly reflects the economic history of New Hampshire. Newport was dominated by the textile industry, overcome by the shoe industry, and saved by precision machining -- and the ingenuity and high tech capabilities this hugely misunderstood industry embodies.

The power of the Eagle Block rehabilitation is its embodiment of sustainable community economic development. We respect and admire the historic integrity of this splendid structure. The architectural and historical significance of the Eagle Block is best served, however, not by inanimate awe, but rather by engaging its powerful presence in the dynamics of Newport's transitioning economy. The strategic re-use of the Eagle Block serves to anchor and legitimize ECON's sophisticated community economic development practice, which has been actively, incrementally, accumulatively engaged through the past decade. There is no time to elaborate here, but the multipurpose, profit/non-profit use of the Eagle Block represents the convergence of: historic preservation; job enhancement and entrepreneurialism; downtown development; cultural heritage tourism; e-commerce; and strategic retail and restaurant recruitment all at one location -- again, a site identified as the gateway to the town, the county, and the region.

The Eagle Block will provide a strategic venue for the following inter-related enterprises:
- a regional welcome/interpretive center and park
- an independently-owned bookstore with cafe
- a permanent location for Newport's Machine Tool Exhibit
- a flexible technical/training/resource/entrepreneurial center and conference site
- a floor for incubator businesses and professional office space

1/20/00, Testimony by Patryc Wiggins, Director of the Economic Corporation of Newport
Senate Bill 401: *Creation of Land and Community Heritage Investment Program*

The Eagle Block will be completed in 2002. Starting operations in the black, net profits are projected to increase steadily, if not exponentially, on a yearly basis.

Similar to the Eagle Block, Senate Bill 401 is critical, not as a fringe asset to New Hampshire's character, but rather as central to the state's economy of choice. In this time of critical choices, ECON fully engages what we call whole-system, knowledge-based, development economics. The principles to which ECON aspires and puts into continued action with the Eagle Block are:
- meaningful, livable-wage work
- social and economic equity and interdependence
- career-long, life-long, community-wide education, training and retraining
- family stability
- historic preservation
- restorative ecological practice
- cultural and recreational enrichment
- civic empowerment

A neighbor to Claremont, Newport is suited in the same shameful dilemma that has some state leaders looking shamelessly at casinos as the way for this state to fund education. Within eyesight of Mt. Sunapee, Newport is challenged by the state's recent decision to lease this public State Park to private resort developers. Harboring the ash landfill used by 29 surrounding towns, Newport is in a David and Goliath battle to keep this dump from expanding into a solid waste nightmare. Despite these larger-than-life encroachments, Newport reaches around short-sighted, end-of-the-empire tactics, to join arms with the likes of the NH Preservation Alliance, the NH Historical Resources Division, the Northern Forest Society, NH Community Loan Fund, and dozens of other state, regional, national, and international partners to invest in our people, land, and character development.

The restoration and use of the historically and architecturally significant Eagle Block does not represent traditional economic development practices which offer, for instance, job creation alone -- typically part-time service jobs. ECON opposes sprawl development, resort development, gentrification, and a gambling economy. Therefore the Eagle Block symbolizes a system-wide practice which aspires to operate cyclically in sync with the ecosystem, dynamically in sync with individual and group development, and intelligently, with respect for the awesomely difficult task of transforming the two-hundred year-old culture that developed inherent to the industrial economy.

In summary, ECON realizes the fallacy of providing new jobs, alone, to a community whose inheritance and culture are incongruent with the skills, predisposition, ilk and aspirations of a rapidly transitioning economy. Rather, ECON realizes that economic benefit in a town like Newport will come only as a result of cultivating the entire ecosystem of the economy simultaneously; singular-symptom remedies are an ineffective icon of the past. Because Newport's economic history is a microcosm of the state's socio-economic development, ECON's whole-system practice is viewed as widely, and vitally, relevant.

Recently the Eagle Block received Tax Credit Status in the amount of $450,000 through the Community Development Investment Program at the Community Development Finance Authority. This provides a match for Newport to submit a Community Development Block Grant application to the Office of State Planning at the end of this month, requesting $350,000. We are confident the Eagle Block project will receive this grant. This will leave ECON, with a one-person staff, the task of raising, through the private sector, $830,000 by July of this year. If this is not accomplished, these godsend, hard-to-come-by state funds will be reneged. There is urgent need for far greater state investment in these efforts.

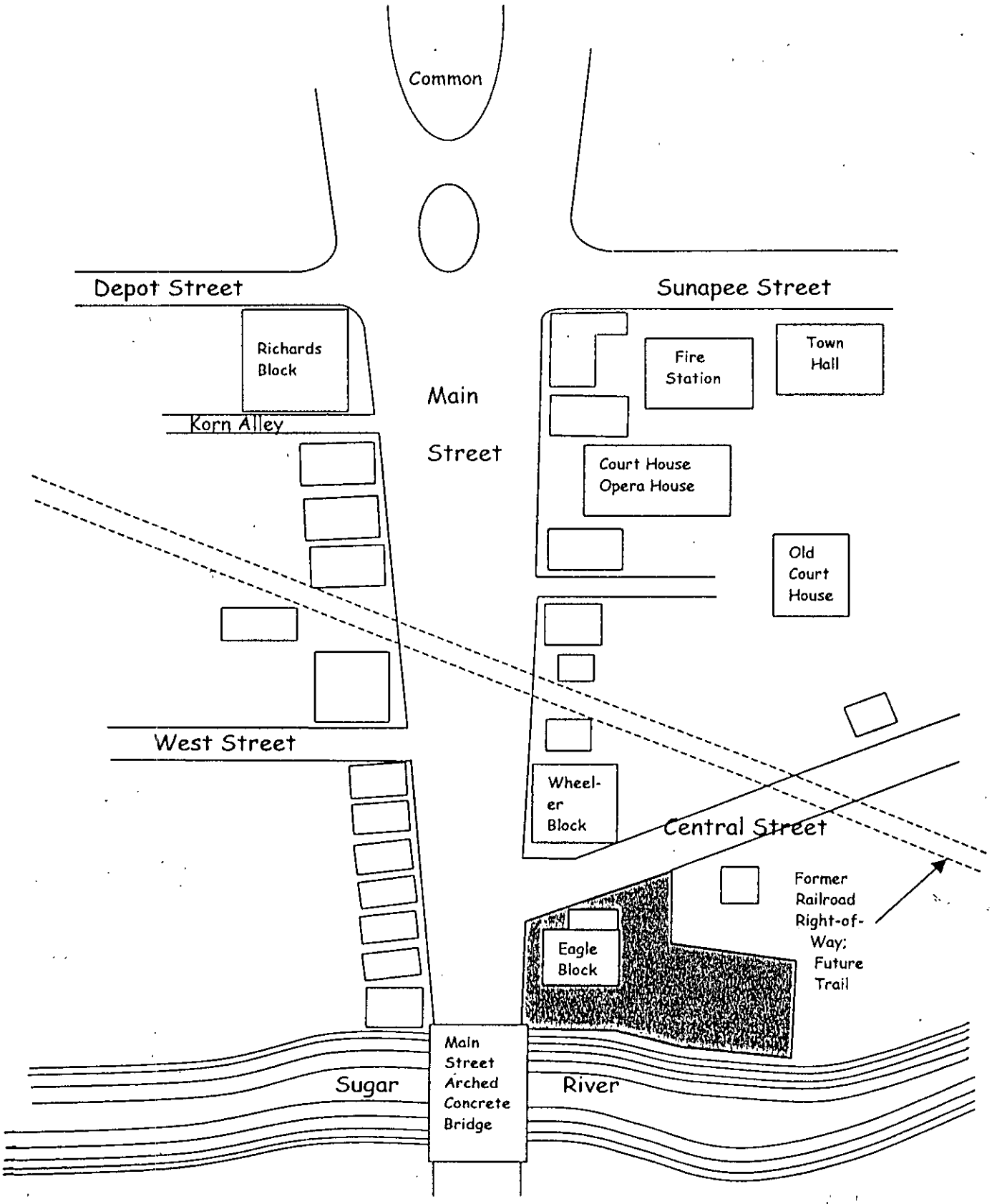
1/20/00, Testimony by Patryc Wiggins, Director of the Economic Corporation of Newport
Senate Bill 401: *Creation of Land and Community Heritage Investment Program*

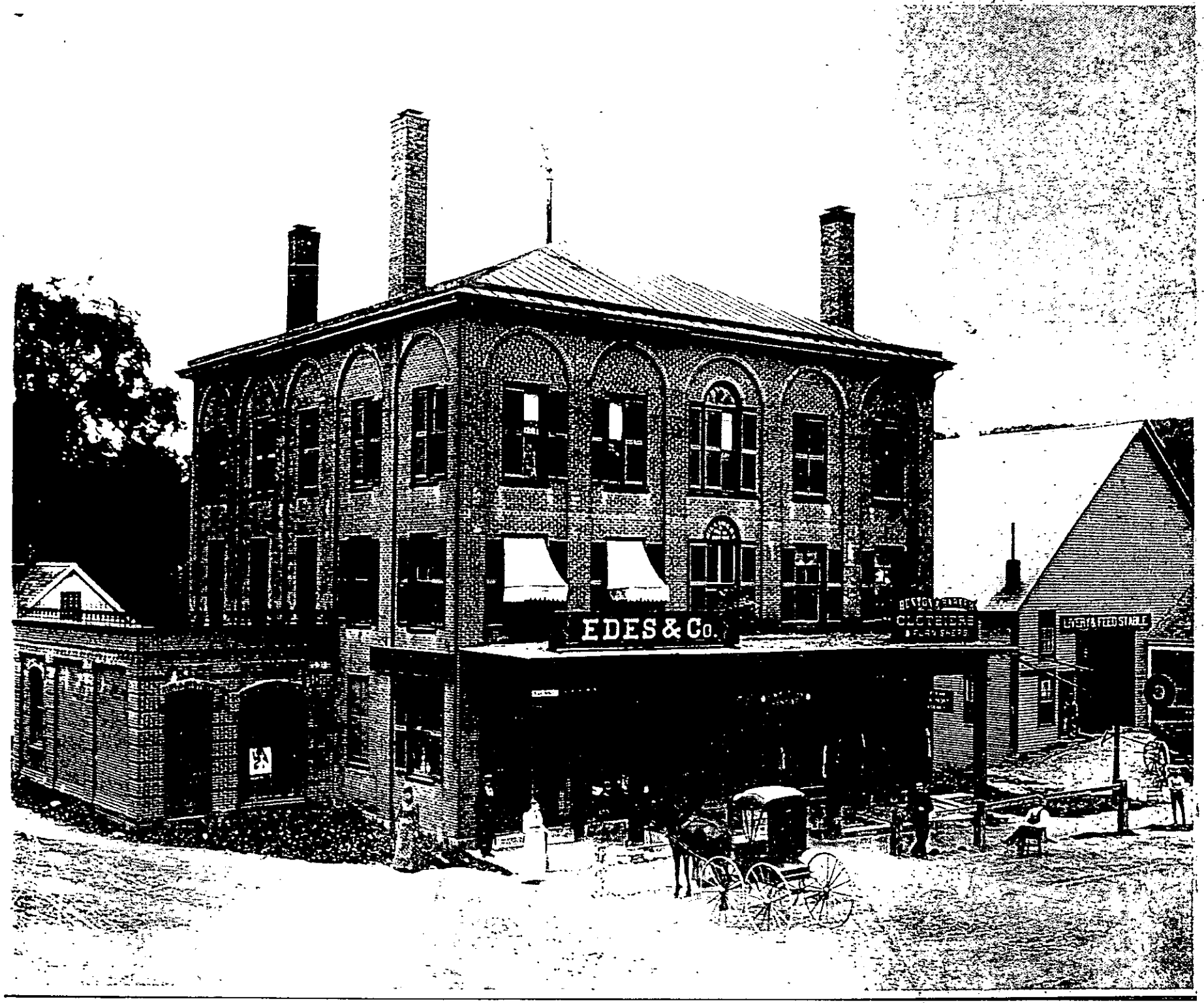
I urge you to support Senate Bill 401. The creation of the Land and Community Heritage Investment Program symbolizes investment in community landmarks, but most importantly it signifies investment in an economy predicated on mindful, universal stewardship.

Thank you for your careful attention to this complex testimony in service to the most critical of issues. Please don't hesitate to contact me with comments and questions.

POB 190
Guild, NH 03754
863-8857
patryc@cyberportal.net

LOCATION MAP
EAGLE BLOCK — NEWPORT, NEW HAMPSHIRE




EDES & Co.
CLOTHIERS
LIVERY & FEED STABLE

Attachment H

BOARD OF DIRECTORS

CHAIRMAN
ALICE DESOUZA
BEDFORD

VICE CHAIRMAN
PATRICIA S. MEYERS
MANCHESTER

SECRETARY
MICHAEL C. HARVELL
NORTH HAMPTON

TREASURER
SEAN SULLIVAN
LACONIA

NANCY BOETTIGER
MANCHESTER

DANIEL J. CALLAGHAN
MANCHESTER

MICHAEL CHANEY
CONCORD

WILLIAM H. DUNLAP
AMHERST

ELIZABETH DURFEE HENGEN
CONCORD

KENNETH MILLER
NEW LONDON

TERESA ROSENBERGER
CONCORD

PATRICIA SHERMAN
NEWBURY

ANDRE TREMBLAY
BOW

WILLIAM WALKER
GREENE

JEFF WOODBURN
CONCORD

EXECUTIVE DIRECTOR
JENNIFER GOODMAN
MANCHESTER

January 19, 2000

Senator Richard Russman
Chairman, Environment Committee
New Hampshire Senate
Concord, NH 03301

Re: Senate Bill 401

Dear Chairman Russman and members of the Senate Environment Committee:

I am Jennifer Goodman, Executive Director of the New Hampshire Preservation Alliance, the state's leading historic preservation non-profit organization. The Preservation Alliance is a membership organization comprised of individuals, businesses, historic district commission, historical societies and other groups from across the state. I am here to speak in strong support of Senate Bill 401.

New Hampshire cannot afford not to support this Land and Community Heritage Investment program. As you know, the conservation of land and historic and cultural resources contribute to the quality of life and economic vitality of the state, and their interrelationship is worth emphasizing. As we invest in our historic community landmarks and our older villages, towns and downtowns, we are promoting "smart-growth" and reducing development pressure on important open space, forest and farmlands.

I wish to draw your attention to 1) the types of community heritage projects that this program has been designed to support, 2) the economic benefits of matching grants, and 3) the need to include eligibility for structures owned by non-profit organizations as well as buildings in public ownership.

There are three major types of needs that, with great frequency, we see in the field and hear about on the phone, and we are very pleased that these three types of projects are incorporated into the Land and Community Heritage Investment Program.

1. Funding for pre-development projects such as feasibility studies. Often difficult money to raise, this type of funding is essential for exploring how to transform a languishing mill building or former school into an economically-viable, revitalized structure. Predevelopment funds can create an important road map for sensible, phased projects that bring buildings back "on-line" and back on the tax rolls.

NEW HAMPSHIRE PRESERVATION ALLIANCE
P.O. BOX 268 • 264 NORTH MAIN STREET • CONCORD, N.H. 03302-0268
TELEPHONE 603 224 2281 • FAX 603 226 9368

2. Funds for the purchase of easements. As the land conservation easement concept begins to take hold among historic preservationists in New Hampshire, we have been hearing more and more from community groups who want to use this tool as a way of permanently protecting a significant historic property while keeping it in private ownership.

3. "Bricks and mortar" grants for rehabilitation. In New Hampshire with previous grant programs, and across the country with programs similar to the Land and Community Heritage Investment Program, we see modest grants leveraging major support from individuals, corporations and foundations. Landmarks like grange halls, meeting houses, opera houses and churches, owned by non-profits and local government, are stabilized, restored or adapted for new uses. Rehabilitation projects like these create more jobs and keep more money in local communities than new construction, and these projects often have a ripple effect, encouraging other local historic preservation investment.

I urge your strong support of Senate Bill 401, with the minor adjustment to include historic resources owned by non-profit organization as eligible for the program. Please let me know if I can answer any questions or be of assistance.

Sincerely,

Jennifer B. Goodman
Executive Director

Attachment I

◆ Student Historic Preservation Team Newsletter ◆
Fairgrounds Jr. High School

Volume 1 Issue 1 June 1999

Update by Sarah Smith, Secretary

Welcome to the first edition of the Student Historic Preservation Team Newsletter! This newsletter is designed to update you, the reader, on exactly what is happening within our organization. The Student Historic Preservation Team **(SHPT)** was founded in 1998. Since then SHPT has adopted a project, the **Gatehouse Project**, whose goals are listed on this page.

The Gatehouse is a small, but important structure located within **Mine Falls Park**, Nashua, NH. This historic building regulated the water flow to the **Nashua Manufacturing Company's** mill yard. By opening (and closing) the five gates under the Gatehouse, water from the Nashua River would flow into the three-mile long **power canal** and into **downtown Nashua.** This building is an important part of Nashua heritage because it marks the start of **industrialization** in NH and within our city. To date we have made significant progress on our first goal, which includes the removal of graffiti from the outside of the building. We conducted a test during **National Preservation Week** (May 9th-15th, 1999) to see if the method we most prefer, a baking soda poultice removal method would be safe enough for the building. With expert professional help we are currently making a decision if this is the best process. We are very encouraged by the results and we are committed to using preservation protocol that requires us to use the ***gentlest means possible***. Before we proceed on a city owned building, we must work with many other people to have our work approved and to develop plans to keep graffiti off of the building. We are trying very hard to work with others and, in turn, many generous individuals and organizations are working hard with us. (cont. pg 2)

Mine Falls Park Advisory Committee Trail Improvement Days:
June 12th
July 17th
August 14th
September 18th
October 23rd

Trail days run from 9am to 1pm. For additional information please call 594-3400 box 5005

A Poem by Abby Gagne Written 5/12/99

The water so blue,
the grass emerald green,
the story of destruction written down by the trees.
In this beautiful setting there is but one flaw,
the graffiti that covers our Gatehouse's proud walls!

The wind blows the song sung by men,
who slaved to accomplish what was vital back then.
Now, 100 years later, it still rings the bell,
that wherever there's heaven, there's a foot print of hell.

But SHPT has a new resolution -
Take away the graffiti and find a solution.

So we'll work and we'll struggle,
day after day
And no matter how tough,
we'll wash that footprint away.

SHPT Goals

1.The restoration of the exterior of the Historic Gatehouse in Mine Falls Park.

2.The redesign, including landscaping, of the surrounding area.

3.The development of the interior of the Historic Gatehouse for heritage education and interpretation.

4.Link the Gatehouse to its natural end in downtown Nashua.

5.Present our work as a lasting gift to the community.

"The Student Historic Preservation Team is the first example in New Hampshire of a school program focused on the understanding, appreciation, and preservation of our state's rich architectural and engineering heritage."
-Dr. James Garvin, State Architectural Historian, NH Division of Historical Resources. 8/6/98

(continued from page one)
Our second goal, landscaping of the immediate area around the Gatehouse, has been another type of learning experience (see inside article titled **CHARRETTE**). While people may not see big changes at the site itself, we are moving forward with many exciting ideas. We have learned that proper planning takes time and carrying out plans takes money. The end result, a heritage museum within the Gatehouse, would be a wonderful place of learning for many years to come.

If you have any comments or questions, please do not hesitate to write or call us. Also, if you have any pictures of the Gate house or the waterfall that was once nearby, we would really appreciate it if you would loan it to us for reproduction. Thank you.

The SHPT-
Fairgrounds Junior High School
c/o advisor Ms. Mary Coe
27 Cleveland Street
Nashua, NH 03060
(603) 594-4393
FAX (603) 594-4355

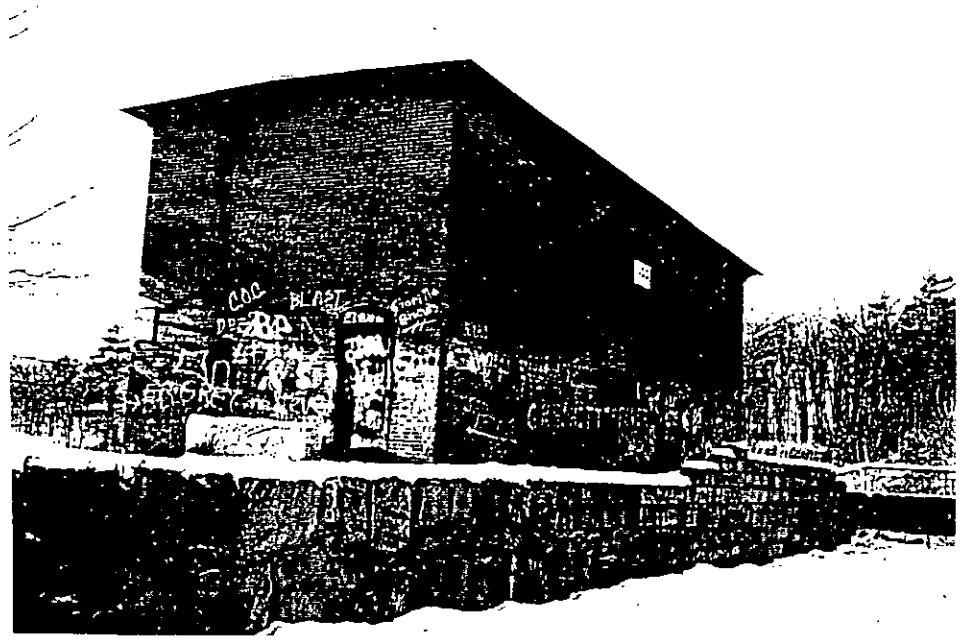


United States Representative Charles Bass and son with Sarah Smith at the Nashua River Harvest Festival.

Accomplishments

1. Organized the SHPT and met with Mr. Alan Manoian, City of Nashua Downtown Development Specialist
2. Presented ideas to the Mine Falls Park Advisory Committee
3. Research work - Nashua Historical Society
4. Eight days of fieldwork at the Gatehouse, including bagging of trash, and cutting down trees and brush in order to "show off" the Gatehouse. Sponsored by the Kings Daughters Benevolent Association.
5. Tour the Hydroplant - neighboring structure of the Gatehouse
6. Presentation to the Board of Public Works.
7. Kick off fundraising and publicity efforts - a mailing, newspaper coverage, etc.
8. Several meetings with Dr. James Garvin, State Architectural Historian, to learn about preservation approaches, mortar analysis, brick formation and more.
9. Ongoing summer meetings
10. Formation of the after school team this past fall - Officers elections.
11. Nashua River Harvest Festival participation with period costumes
12. Signed on a local architect – Michael Findley of PMR Architects, PC.
13. Additional fundraisers, including the tee shirts that were designed by students
14. Creation of a banner
15. Working on designing a contract for graffiti removal
16. Association with – Kathleen Johnson of Pond View Landscape Designs.
17. Meeting with UNH Cooperative Extension. Discussion topic: How to conduct an inventory of a site.
18. Charrette (design workshop) at City Hall
19. Participation at follow up charrette at Nashua Public library
20. Soil testing with volunteer Tree Stewards and Nashua Park and Rec.
21. Received letter of support from Mr. Jeff Taylor, State Office of Planning
22. National Preservation Week test patch on graffiti
23. "Make a Difference" presentations to elementary schools and non-profit organizations
24. Falcon Fling participation

The term "charrette" is adopted from the stories of *Ecole des Beaux Arts* architectural students in nineteenth century Paris who reputedly could be seen still drawing their projects until the last minute as they were carried on the "cart" or *en charrette* on the way to the design jury. In its modern-day adaptation, charrette refers to an intensive design workshop involving people working together under compressed deadlines.



CHARRETTE

In an effort to work on SHPT's goal #2 (landscaping), a beginning charrette was held at City Hall on Thursday, February 18th, 1999. Approximately 30 people participated and contributed to the process by sharing their visions and concerns for the Gatehouse area in Mine Falls Park. In March the Mine Falls Park Advisory Committee graciously hosted the second part of the charrette which was held at the Nashua Public Library. We plan to continue these sessions in an effort to develop a master plan for the area.



A Piece of the Action...

Officers

President- Lisa Minich
Vice President- Kyle Gilbertson
Secretary- Sarah Smith
Treasurer- Neel Shah
Art Director- Abby Gagne

Members

Amit Anawandala
Jeremy Boire
Monique Dextraze
Aline Dodge
Beth Drolet
Shannon During
Stacy Fierley
Julia Flynn
Elizabeth Klementovitcz
Kevin Koo
Becky LaPlant
Joanna Lubkin
Sunish Oturkar
Katie Philbin
Philip Puliafico

1st Mini-Course During School

Rachel Batista
Jacob Coburn
Nina DiFazio
Amanda Durso
Lauren Enman
Melissa Gouveia
Katra Jewell
Elizabeth Klementovicz
Kevin Lacasse
Dan Marshall
Dan McShea
Danielle Methot
Nikhil Patel
Gina Pageot
Katie Philbin
Ambika Subramony
Tiffany Warrington
Liam Wilson

2nd Mini- Course During School

Rachel Batista
Rony Camille
Dottie Dion
Kathleen Duncan
Stacy Fierley
Marilyn Giracia
Angelica Jimenez
Josh Klein
Ana Lara
Joanna Lubkin
Venessa McNinich
Erin Meehan
Sapna Patel
Jeff Pelletier
Katie Philbin
Matt Scott
Vasanthi Sridhar

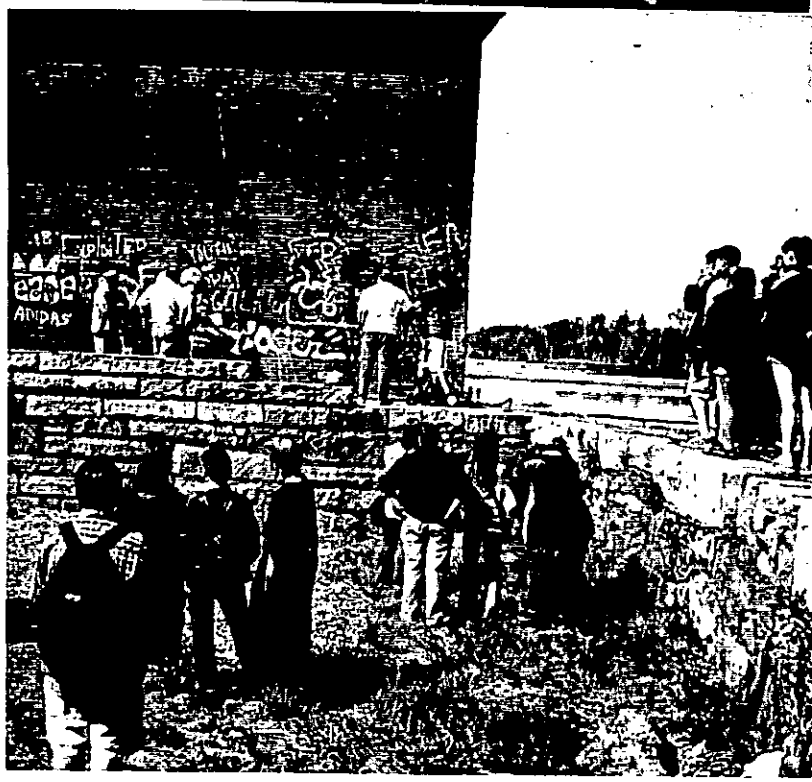
Original Planning Committee

Sarah Andrews
Jeremy Boire
Kevin Crowder
Cedrick Dabney
Craig Dion
Dan Keating
Adam LaFrance
Jonah Lavoie
Mike Marino
Lisa Minich
Tiffany Nowell
Nick Oldford
Neel Shah
Sarah Smith
Nina Wilson

Original Action Committee

Sabryna Acevado
Sarah Andrews
Chris Connelly
Craig Dion
Beth Drolet
Dena Ferry
Abby Gagne
Jenna Haynes
Jessica Hernandez
Selena Klodner
Jonah Lavoie
Jessica Leach
Sara Leger
Kaile Marcoux
Mike Marino
Melanie Morris
Peter Moulton
Tony Pesce
Neel Shah
Sarah Smith
Thi Son

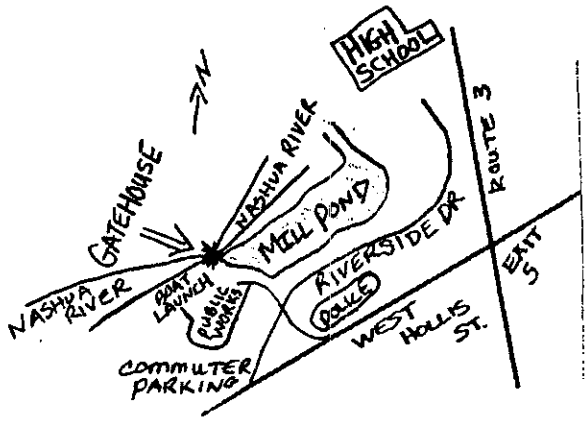




Top Photo: Dr. James Garvin describing mortar test. Bottom Photo: Students observe graffiti removal from the test patch.

Directions to the Gatehouse

Public Works Garage – the westernmost entrance to Mine Falls Park includes a boat launch that provides access to the Nashua River above the dam. The historic Gatehouse is located adjacent to the dam. Parking is limited; however, ample parking is available in the commuter parking lot which is adjacent to the Millpond.



Our Sponsors

Level IV: Capstone sponsors
Nashua Historical Society

Level II: 1886 Brick sponsors
Mary Ricker Coe
Donna-Belle and James L. Garvin
Rising Sun Lodge No. 39
Fairgrounds Jr. High
Dr. David J. Greene

Level I: Helping Hands sponsors
Advanced Family Dentistry/Dr. England
Alpha Delta Kappa Sorority
Cardin Jewelers Inc.
Dion Cleaners
Joanne D'Agata
Fairgrounds Jr. High National Honor Society
Fairgrounds Jr. High Student Council
Marianne and William Farrell
Monique and Edward A. Fisichelli
Dorothy and Richard Gillespie
Kathleen and Lawrence Hersh
Kalil and Kress General Family Dentistry
Matthew Thornton Chapter DAR
Nashua Dental Associated/Dr. Dahlmann
Nashua School of Gymnastics
Sandhya and Sridhar Raghavan
Kathleen and John Redman, Jr.
Villa Banca
Linda and Victor Belanger
Crosby's Bakery
Brigitte Charbonneau
Brenda and John Grady
The Koo Family
Amy Lee
Edward J. Los
Peter's Auto Center
Beth Raymond
Shop 'n Save/Hannaford

Sponsorship checks may be made out to:

Fairgrounds Junior High School
Attn: Student Historic Preservation Team
c/o Advisor: Mary Coe
27 Cleveland Street, Nashua, NH 03060 - 4482

Please consider a contribution to the Gatehouse Project:

Level I: Helping Hands	$25 - $187
Level II: 1886 Bricks	$188.60 - $499
Level III: Granite Blocks	$500 - $999
Level IV: Capstones	$1000+

Sponsor name: _____
Address: _____
hhigher

_____

Level of Sponsorship:_____ Amount:_____

Sponsorship funds will be dedicated specifically to the physical restoration of the Gatehouse and the surrounding area. Upon completion of Phase One of the project all sponsors will be invited to a special event at the Gatehouse.

Special thanks to two men we admire very much: Dr. James Garvin and Mr. Alan S. Manoian.

Also to our parents who have helped us pursue our goals.

Editor: Joanna Lubkin

Editing Assistance Jean Newcomb

Advisor: Mary S. Coe

Our sincere ***thanks*** to the two companies who donated time and resources for the test patch process:

Associated Concrete Coatings
476 Valley St., Manchester, NH
03103 1-800-367-1219

Dawson-MacDonald Co. Inc
845 Woburn St, Wilmington,
MA 1-800-556-4456

We have relied heavily on the support of Fairgrounds Junior High staff and students. They have participated in fund-raisers and provided encouragement and help. This project could not be accomplished without each of you. Thank you for your patience, efforts and understanding.

Thanks are extended to the Telegraph and The Kings Daughters Benevolent Association for coverage and support of our first clean up days in 1998.

Many wonderful period costumes were created by Mrs. Puliafico. Thank you!

Many professionals and volunteers donated their expertise and time. We appreciate your help. Thank you!

City of Nashua
- Community Development Division
- Fire Department
- Office of the Mayor
- Park and Recreation
- Public Works

Michael Findley, PMR Associates
9-A East Pearl St., Nashua NH 03060

Kathleen Johnson, Pond View Landscape Designs & Horticultural Consult.
19 Pound Rd., Hollis, NH 03049

Mine Falls Park Advisory Committee

Nashua Historical Society

NH Division of Historical Resources

NH Offices of State Planning

ProSoCo

Dr. Susan Schnare

Tree Stewards

Attachment J



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES
State of New Hampshire, Department of Cultural Resources 603-271-3483
19 Pillsbury Street, P.O. Box 2043, Concord, NH 03302-2043 603-271-3558
FAX 603-271-3433 *preservation@nhdhr.state.nh.us* Voice / TTY RELAY ACCESS 1-800-735-2964

January 20, 2000

Senator Richard Russman
Chairman, Environment Committee
Room 104, Legislative Office Building
Concord, New Hampshire 03301

RE: Senate Bill 401-FN-A-LOCAL

Dear Senator Russman and members of the Committee,

My name is Nancy Dutton. I am Director of the New Hampshire Division of Historical Resources. My Commissioner, Van McLeod, of the Department of Cultural Resources is not able to be here today and has asked me to testify on his behalf as well as my own, in support of Senate Bill 401.

As the State Historic Preservation Officer, I can say that this bill addresses our greatest need by providing support for historical structures and archaeological sites. Every day we get calls and letters from people trying to find help to save things they cherish. Time after time, we redirect them to the same funding sources, knowing that the chances of their getting real help, beyond the technical assistance we can provide, are slim. The small amount of Historic Preservation Fund monies available each year for bricks and mortar projects is very small (this year $38,000), and those funds can only go to the twelve towns in New Hampshire which are Certified Local Governments.

We have been encouraged by the synergy which has developed between entities concerned with the natural environment and historic preservation in the last few years as we have worked together to identify those special resources which make New Hampshire distinctive and which contribute so strongly to our sense of place. By reinvesting in our existing towns and villages we leave more land undeveloped, preserving our family farms, forests, and watersheds. We compliment the Land and Community Heritage Commission for the thoroughness of their work in the past two years in understanding the roles that historical, cultural, and natural resources have in our economic well-being as well as our sense of identity and place. This legislation to create a Land and Community Heritage Investment Program is critical if we are to maintain the quality of life we all so highly value.

I would like to note one amendment which I think was inadvertently omitted when the legislation was crafted. On page 5 under 227-M:7 III (c), the bill states that financial assistance may be used for the "restoration and rehabilitation of publicly-owned buildings or structures." Our understanding was that the funds would also be available to non-profit organizations – and certainly they are eligible to apply under 227-M:7 I (c). Many historic buildings in New Hampshire are owned by historical societies, cultural organizations, and other groups staffed largely by volunteers. They have taken on the responsibility of preserving important structures that no other entity, state or town, has the ability to maintain. Often these buildings were once publicly owned, structures like school houses, town halls, or libraries. It is definitely in the public interest to preserve them, and I would very much hope that the bill could be amended to include non-profit organizations as potential beneficiaries of the funds.

We all need to use all of the tools at our command to keep New Hampshire the beautiful and unique place it is. By supporting this legislation, you will be providing us in the preservation community with the main tool we have been lacking – and that is real funds to protect and preserve our built environment. This legislation needs to pass. We cannot postpone addressing critical needs into the future, for by then there will be little to preserve.

Sincerely yours,

Nancy C. Dutton

Nancy C. Dutton
Director and State Historic Preservation Officer

Attachment K

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of FORESTS and LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2214
FAX: 603-271-2629

GEORGE M. BALD
Commissioner

PHILIP A. BRYCE
Director

January 19, 2000

The Honorable Richard Russman, Chairman
Senate Environment Committee
Room 104 Legislative Office Building
Concord, NH 03301

Re: SB401, Land and Community Heritage Investment Program

Dear Chairman Russman & Members of the Committee:

The Department of Resources and Economic Development, Division of Forests and Lands wishes to offer its strong support of SB 401 relative to the establishment of the New Hampshire Land and Community Heritage Investment Program.

The need for statewide land protection has been well documented in several comprehensive natural resource planning efforts. The 1996 New Hampshire Forest Resources Plan and the final report of the Northern Forest Lands Council; *Finding Common Ground: Conserving the Northern Forests* both called for a program of this nature. The division believes the establishment of this program is critical to the maintenance of New Hampshire's working forest landscape as well as protection of unique ecological features.

We commend the legislature for initiating this effort. The division was particularly pleased serve on the Land and Community Heritage Commission which worked hard to present a comprehensive proposal to maintain the features which define the culture and character of New Hampshire. If there is any additional information or assistance the division can provide, please let me know.

Sincerely,

Philip A. Bryce
Director

Attachment L

Resolution No. 7011

CITY OF CONCORD

In the year of our Lord one thousand nine hundred and ninety-nine

RESOLUTION urging the State of New Hampshire to establish and fund a permanent public/private partnership for the voluntary conservation of land resources.

Whereas, the New Hampshire General Court established a Land and Community Heritage Commission (Chapter 161, Laws of 1998) "to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural and historical resources"; and

Whereas, the NH Land and Community Heritage Commission, in its final report released on November 15, 1999; found that "pressures on our natural, cultural and historical resources caused by growth and sprawl are seriously affecting the quality of life of NH citizens"; and

Whereas, the Commission found further that immediate creation of a new and permanent public-private partnership "to protect and provide stewardship for these critical resources" is needed because the task is "too large for either the private or public sector to accomplish alone"; and

Whereas, the Commission proposed a new voluntary program to be called the Land and Community Heritage Investment Program (LCHIP), similar to the successful Land and Community Investment Program (LCIP) but expanded to include cultural and historical resources, that would provide 60% state funding to be matched by 40% local funding to protect such resources; and

Whereas, the Concord City Council finds that the natural, cultural and historical resources in this City and throughout the state are worthy of protection;

Whereas, the City of Concord took advantage of the LCIP to acquire conservation land in the City; and

Whereas, were the LCHIP now in place, the City's renovation of the historical Waterworks buildings to accommodate the Fire Department would be eligible for funding; and

Whereas, a bill will be introduced in the 2000 session of the New Hampshire General Court to initiate LCHIP with modest start-up funding; and

Now therefore be it resolved that the Concord City Council urges the State of New Hampshire to establish and fund a permanent public/private partnership for the voluntary conservation of these important resources.

In City Council
January 18, 2000
Passed

Attest: Sharon Dery
City Clerk

Attachment M

Brookline Conservation Commission

Brookline, New Hampshire
03033

January 20, 2000

Senator Rick Russman
Chair of Senate Environmental Committee
Room 104 Legislative Office Building
Concord, New Hampshire 03303

VIA FACSIMILE AND U.S. MAIL

Re: Senate Bill 401

Dear Senator:

The Brookline Conservation Commission (BCC) strongly urges the Senate to pass Senate Bill 401. Brookline is the fastest growing community in New Hampshire. In 1998, eight (8) new subdivisions were approved. This in a town with a total population just under 3,500. This number held steady in 1999. Most people moving to our small town have indicated that they are attracted to Brookline because of its rural character and small community atmosphere. Other often-cited reasons include the amount of green space that is in Town. However, as the Town continues to expand, more and more of our open spaces are being converted into 10 to 15 lot-housing subdivisions.

Although the Town has adopted minimum acreage requirements, requires open space subdivision development, actively pursues conservation easements and is operating under a growth management ordinance, growth still continues and the threat of losing many of the Town's natural and cultural resources is very real.

During the Regional Environmental Planning Process, the BCC identified numerous natural and cultural resources that were worthy of protecting. Our highest priority is the lands that surround Lake Potanipo. Lake Potanipo is a natural lake with approximately 2,900 meters of shore length. The south shore of the Lake is dotted with numerous homes and summer camps. The east shore is occupied by Camp Tevya and includes the Max Cohen Memorial Grove area. The northern and western shores are undeveloped. Surrounding the lake is approximately 775 acres of land. This is the land that the BCC is seeking to protect. The land is the watershed for one of the three highly productive aquifers in Town. It is also serves as a major habitat for larger mammals, including deer, moose and bear as well as smaller mammals and a variety of birds. The headwaters of the Nissitissit River, which is part of the Nashua River Watershed area, is located at the southeastern portion of the Lake. The surrounding land is also the site of what is known as Rock Raymond which is a terrific scenic vista that provides a panorama view of the Lake that many enjoy during the autumn when the

Brookline Conservation
Commission

Brookline, New Hampshire
03033

changing color of the leaves is mirrored in the waters of the Lake.

Preserving this area would ensure that the quality and quantity of the groundwater within this aquifer area remains high and provides a large and diverse area for wildlife. Undeveloped lakefront property is hard to find in New Hampshire. When you sit and look out at the Lake from the beach area, the views are awesome, especially at sunset. It is hard to imagine the view from the beach changing, after so many years, to include roads and homes. Many people enjoy the lake, whether they fish, swim or boat. The Lake is also the focal point of many of the Town's social events, events that bring the community together. Events at the lake include the annual ice fishing derby, the July 4th fireworks display, the opening of the beach area every summer, kayaking clinics and children's swimming lessons, the annual Halloween hayride and bonfire as well as sunrise and sunset church services and Boy Scout ceremonies.

The Lake and the lands that surround it are an important natural and cultural resource to our Town. The Lake also is of major historical importance to the Town. The current site of Camp Tevya was where the former IceHouse was located. Ice was taken from the Lake and shipped via rail to Boston and other southern locations.

While the Town is currently seeking to purchase some of the surrounding lands with monies currently available in our Land Acquisition Fund, we can not possibly fund the entire project. The passing of SB 401 will provide local communities with the support they need to acquire and thereby protect the natural and cultural resources that make their towns special. The BCC encourages all of our state politicians to support this vital bill and show the citizens of the state that our special places really do matter.

Respectfully submitted,

Kathleen Harvey
Chairman
Brookline Conservation Commission

Attachment N

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2457 FAX (603) 271-7894

January 20, 2000

The Honorable Richard L. Russman, Chairman
Senate Environment Committee
Room 104, Legislative Office Building
Concord, NH 03301

SUBJECT: SB 401, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

Dear Chairman Russman:

Thank you for the opportunity to comment on SB 401, establishing a permanent land protection program in New Hampshire. The Department of Environmental Services (the Department) fully supports this bill.

Our experience in environmental management tells us that protection of critical natural resources sometimes requires permanent land protection. The cumulative effects of various human activities on the landscape can easily and often unintentionally destroy important resources such as aquifers, wildlife habitat, and healthy ecosystems. The New Hampshire Comparative Risk Project identified loss of aquatic habitat as the number one threat to New Hampshire's environment.

SB 401 implements the recommendations of the New Hampshire Land and Community Heritage Commission, whose legislative charge was to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources. The Commission, on which I served, studied this issue thoroughly and developed sound recommendations that I believe are firmly based in public support and feasibility.

In many cases where our existing regulatory programs might be inadequate, key land acquisitions can accomplish the goal of maintaining habitat or keeping drinking water clean. The Department has been successful in protecting critical lands through wetlands mitigation and supplemental environmental projects. However, these tools are inadequate to comprehensively protect lands that should be protected.

Through the Regional Environmental Planning Program, we asked the nine regional planning agencies to identify locally important lands for protection. After consulting with each community in the state, the planning agencies identified over 2,800 parcels of land worthy of protection. The commissions are currently developing portfolios for nearly 100 of these properties with willing sellers in anticipation of a mechanism for their protection.

There is much discussion about the impacts of unplanned growth and development in New Hampshire. Much of the burden of dealing with growth falls on local planning boards, which must review each development proposal as it is received. Through the regulatory process, planning boards can achieve some critical land protection, but ultimately must permit developments that meet local zoning and subdivision and site plan review regulations. A statewide land protection program as described in SB 401, made available to municipalities, can help to alleviate the burden on local planning boards by providing an option for permanent protection of lands that should not be developed due to their critical natural resources.

We encourage the committee to recommend passage of SB 401. We will continue to support local resource protection through our programs and look forward to having a permanent protection program available to address critical natural resources. Please contact me at 271-3505 or Eric Williams at 271-2457 if you have any questions.

Sincerely,

Robert W. Varney
Commissioner

cc: Sen. Larsen
Sen. Klemm
Sen. Johnson
Sen. Below
Rep. Torr
Rep. M. Fuller Clark
Rep. Burling
Rep. Musler
Rep. Scanlan

Attachment D

OFFICE OF STATE PLANNING
STATE OF NEW HAMPSHIRE
2 ½ BEACON STREET – CONCORD 03301-4497
TELEPHONE: 603-271-2155
FAX: 603-271-1728

January 20, 2000

Honorable Richard L. Russman
Chairman
Senate Environment Committee
104 LOB
North State Street
Concord, NH 03301

Honorable Senator Russman:

The Office of State Planning strongly supports SB 401with the understanding that there are on-going discussions regarding the funding and wish to reserve final comment until this aspect has been resolved.

Additionally, we would support an amendment that provides for the retention of not-for-profits as funding recipients consistent with the original intent of the program. Section 227-M:7, III (c) and 227-M:7, VI are inconsistent in dealing with this important element.

As we evaluate planning and development practices throughout the state, it is evident that by encouraging sensible renovation of existing buildings and adaptive reuse these practices strengthen our community character, are economically sensible and can decrease the elements of sprawl. As we review the role of open space it is evident that this element of our landscape contributes to defining our quality of life, to the caliber of the tourists' experience and to environmental sustainability. Not-for-profits are key players as stewards of our New Hampshire landscape and cultural heritage and contributors to the above qualities that we cherish. This legislation should support them in those efforts.

Sincerely,

Jeffrey H. Taylor
Director
Office of State Planning

Attachment P

Preserving the Past • Charting the Future

NEW HAMPSHIRE HISTORICAL SOCIETY

January 20, 2000

Hon. Richard Russman
Chairman
Senate Environmental Committee
Legislative Office Building
Concord, NH 03301

Dear Senator Russman:

I am writing on behalf of the New Hampshire Historical Society and the New Hampshire Travel Council in support of Senate Bill 401, creating the Land and Community Heritage Investment Program.

This important legislation will establish a much-needed permanent program to conserve and protect natural land and community heritage resources for the benefit of our citizens. It is a bill whose time has come and we strongly urge that this committee and the legislature support it.

The Board of Directors of the New Hampshire Travel Council, an association representing more than 300 organizations and businesses involved in travel and tourism in our state, endorses Senate Bill 401 and the requisite funding to implement it. At the Travel Council, we often talk about the special nature of New Hampshire. Our extraordinary landscape is a principal attraction drawing millions of visitors annually – visitors who, while here, also attend programs in cultural facilities and visit historic sites and museums.

The New Hampshire Travel Council understands that our state will be a good place to visit only if it remains a good place to live. We must be vigilant in protecting those resources that make New Hampshire a truly livable place. Senate Bill 401 is a powerful public policy that helps to ensure we retain and protect those distinctive qualities that make New Hampshire New Hampshire.

As a former Board member of the Travel Council, a member of the Land and Community Heritage Commission, and as Executive Director of the New Hampshire Historical Society, I am well aware of the fragile nature of the state's land and cultural resources. Opportunities to develop long term programs to protect such resources are rare – and while discussion of need is frequent, action is less common. We have one of those rare opportunities now at a time of unparalleled prosperity and it is the time to act.

Sincerely,

John Frisbee
Executive Director

THE TUCK LIBRARY 30 PARK STREET CONCORD, NEW HAMPSHIRE 03301-6384 **603/225-3381** FAX 603/224-0463
Founders of the Museum of New Hampshire History
WWW.NHHISTORY.ORG

Attachment G

LAND & COMMUNITION HERITAGE INVESTMENT PROGRAM

SENATE ENVIRONMENT COMMITTEE – JANUARY 20, 2000

MY NAME IS BRAD WYMAN. I LIVE IN DUMMER. I AM FORESTER, RETIRED FROM THE PULP & PAPER INDUSTRY IN COÖS COUNTY, AND I HAVE LIVED AND WORKED IN THE NORTH COUNTRY SINCE 1970. IT WAS MY PRIVILEGE TO SERVE ON THE LAND & COMMUNITY HERITAGE COMMISSION. TODAY I AM HERE REPRESENTING MYSELF.

I WANT TO FOCUS ON NORTH COUNTRY REASONS FOR SUPPORTING SB 401, SINCE MANY OTHERS WILL BE OFFERING TESTIMONY FROM QUICKLY GROWING AND SPRAWLING SOUTHERN NEW HAMPSHIRE.

NOT THAT COÖS COUNTY IS WITHOUT ITS SYMPTOMS, OF COURSE. ONE OF THE MOST EGREGIOUS EXAMPLES OF THE LOSS OF NORTH COUNTRY NATURAL AND COMMUNITY HERITAGE LIES IN THE COMMERCIAL DEVELOPMENT THE ENTIRE LENGTH OF THE ROAD BETWEEN BERLIN AND GORHAM, ALONG THE BANKS OF THE OTHERWISE SCENIC ANDROSCOGGIN RIVER. LANCASTER, A CHARMING VILLAGE IS RAPIDLY LOSING ITS CHARACTER, AS VENERABLE HOUSES FALL AND FACELESS CONVENIENCE STORES PROLIFERATE. OTHER EXAMPLES ARE NOT HARD TO FIND.

NONETHELESS, THE GROWTH STATISTICS AND PROJECTIONS CITED IN THE COMMISSION REPORT CLEARLY REFLECT SOUTHERN NEW HAMPSHIRE THREATS BETTER THAN THEY DO OUR NORTH COUNTRY CIRCUMSTANCES. IN MY VIEW, THIS SIMPLY SUGGESTS THAT OUR OPPORTUNITY FOR THE LOSS … OR SALVATION… OF OUR HERITAGE IS THAT MUCH GREATER!

THERE IS A WELL-FOUNDED CONCERN IN THE NORTH COUNTRY THAT PEOPLE "FROM AWAY" ARE SEEKING TO "SAVE" THE NORTHERN FOREST FROM THOSE OF US WHO LIVE IN IT AND DEPEND UPON IT FOR OUR QUALITY

OF LIFE...ECONOMIC AND OTHERWISE. THE CURRENT HAM-HANDED EFFORT OF THE CLINTON-GORE ADMINISTRATION TO DO AN END-RUN ON THE WHITE MOUNTAIN NATIONAL FOREST PLANNING PROCESS IS A CASE IN POINT.

SB 401 PRESENTS A CLEAR OPPORTUNITY FOR US TO CONTROL OUR OWN DESTINY. UNLIKE FOREST SERVICE OR OTHER FEDERAL INITIATIVES OR CAMPAIGNS BY NATIONAL NGOS, THIS IS A NEW HAMPSHIRE CITIZEN-DRIVEN PROCESS. WE CAN FOCUS ON PROTECTING A NATURAL, HISTORIC LANDSCAPE THAT CONTINUES TO PROVIDE FOR VIBRANT ECONOMIC ACTIVITY, SUITING OUR NEEDS. EACH COMMUNITY WILL HAVE A CHANCE TO IDENTIFY THOSE RESOURCES IT MOST VALUES AND PRODUCE A PLAN OF PROTECTION APPROPRIATE FOR THAT RESOURCE AND COMMUNITY. THIS BILL WILL PROVIDE SIGNIFICANT FUNDING TOWARDS THE REALIZATION OF THE MOST COMPELLING PROPOSALS...A RESOURCE WHICH HAS BEEN UNAVAILABLE SINCE THE COMPLETION OF THE LAND CONSERVATION INVESTMENT PROGRAM.

WE CAN FULFILL OUR OWN NEEDS ON OUR OWN TERMS. COMMUNITIES WHICH IDENTIFY THREATENED NATURAL AND CULTURAL RESOURCES WILL BE ABLE TO TURN TO NEW HAMPSHIRE FUNDING AND NOT BE FORCED TO SEEK FEDERAL DOLLARS, THUS SELLING SHARES IN NEW HAMPSHIRE RESOURCES TO 260 MILLION US CITIZENS.

WE NEED SB 401 TO HELP US PROTECT OUR NORTH COUNTRY HERITAGE FROM FEDERAL IMPERIALISM AS WELL AS FROM SPRAWL AND NEGLECT.



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES
State of New Hampshire, Department of Cultural Resources 603-271-3483
19 Pillsbury Street, P.O. Box 2043, Concord, NH 03302-2043 603-271-3558
FAX 603-271-3433 *preservation@nhdhr.state.nh.us* Voice / TTY RELAY ACCESS 1-800-735-2964

January 20, 2000

Senator Richard L. Russman
Chair, Senate Environment Committee
Room 104
Legislative Office Building
Concord NH 03301

RE: SB 401, the New Hampshire Land and Community Investment Program

Dear Senator Russman, and Members of the Environment Committee:

My name is Linda Ray Wilson, and I serve as Deputy State Historic Preservation Officer in the Division of Cultural Resources, part of the Department of Cultural Resources.

I have been waiting anxiously for this moment for twenty-five years, almost to the day, from the time that I began working for the state historic preservation program in January, 1975. The very first questions waiting for me then were eloquent pleas for funds to save what we now recognize as some of our state's greatest historic treasures. In those days there were federal Historic Preservation Fund matching grants available for New Hampshire projects, and I was constantly astonished and inspired by the ways in which a relatively small amount of "seed money" attracted gifts of cash, skills, and services from individuals, organizations, and public bodies.

I was especially impressed by the wisdom and courage of the project sponsors: where others only saw loss, decay, and ruin, they envisioned venerable buildings restored to beauty and to service. Their energy was infectious, and they started work on seemingly-impossible projects, guided by carefully-considered step-by-step, year-by-year plans. Their passion and commitment attracted matching gifts of time and money from expanding circles of supporters, as well as from some unlikely and unexpected sources along the way. A quarter of a century later, the sad, neglected buildings and bridges they struggled to save have become focal points of local pride, magnets for heritage tourism, generators of sustainable economic development, and places where everyone can feel connected to New Hampshire's heritage even while they go about the business of their daily lives. They have also become visible demonstrations of the "multiplier effect" that occurs when people invest in themselves and their community.

Even though the federal historic preservation grants were eventually lost to budget cuts, the calls for help keep on coming -- several each day, and all of them engrossing. People pour out their stories and visions of what a building or place or archaeological site could mean to their community, and plead for help; but I have the unpleasant duty to tell them that the State of New Hampshire, unlike its neighbors, does not have a program to help them invest in the very properties and places that make their town or city or rural setting distinctive. Our special historical and cultural and natural assets -- the *true* "New Hampshire advantage" -- are in danger of becoming liabilities unless we maintain and care for them.

RE: SB 401, the New Hampshire Land and Community Investment Program

We hear a lot today about being part of the global economy. If we think it means selling more and better widgets cheaper to people halfway around the world, we are badly mistaken. Competing globally is really about maximizing our unique assets, so that we can attract high-quality visitors, workers, businesses, and entrepreneurs to bring capital into the New Hampshire economy. Without such extraordinary assets, we have no other reliable way to attract and hold that human and financial capital.

The Land and Community Heritage Investment Program is a thoughtfully designed, practical and pragmatic way to tap into the power of individuals and communities who are eager to protect their special places. Recent studies show that conserving open space and preserving historic properties is a sound and profitable investment -- not locking up the landscape, but a way to unlock the incomparable potential and promise of our natural, cultural, and historical heritage.

Before closing, I urgently call to your attention an accidental typing error in SB 401, as introduced. 227-M:7, III. (c) [eligible activities], lists "Restoration or rehabilitation of public-owned buildings or structures," but omits buildings or structures owned by nonprofit organizations. However, in 227-M, I.(c) such organizations are listed as eligible applicants; and both the philosophy and the language throughout the rest of the bill reinforces the concept of a dynamic public-private partnership for saving our special places. The importance of the public-private partnership is also a core concept in the draft and final report of the NH Land & Community Heritage Commission.

Thanks to the conservation license plate bill (RSA 261:91-a), some state funds will be available in the future for preservation of publicly-owned historic properties; but there is *no* source of state funds for preservation of historic properties owned by nonprofit organizations.

This disparity in the existing law makes it all the more crucial to ***include*** historic buildings or structures owned by nonprofit organizations as eligible recipients for financial assistance authorized by 227-M:7, III.(c). Individuals, acting both as private citizens and together through educational, civic, religious, service and arts organizations, have been the heart and soul of historic preservation in New Hampshire. They need the recognition and support of state government, not only for the money (which would in turn serve as matching share to attract other resources) but also for the acknowledgement that their efforts are directed to a worthy goal, which despite its nonprofit aspects has immense benefits for the general public.

Having waited twenty-five years for a permanent public-private partnership to help fund the preservation of our special historic places, I would be heartbroken if our private-sector partners and stakeholders were shut out, either by accident or by design.

Sincerely,

Linda Ray Wilson

Linda Ray Wilson
Deputy State Historic Preservation Officer

cc: Nancy C. Dutton, Director / SHPO
Jennifer Goodman, NH Preservation Alliance
Kathy LaPlante, NH Main Street Center

The FY'00 federal budget includes the following:

Federal LWCF: $465 million (included $2.75 million for Lake Umbagog, 1.0 million for WMNF trailheads, $1.5 million for Pond of Safety addition to WMNF).

Stateside LWCF: $40 million (of which NH receives approx 1% under population-based distribhtion formula - about $400,000. These funds
are administered by state and allocated to communities on 50:50 matching basis).

Forest Legacy: $30 million (up from $7 million in FY'99 - of which NH will received $1.5 million for 10,000 acres Pond of Safety easement,
and additional $1 million plus for 1-2 other proejcts. there are now 20 states competing for legacy funds - NH did very well. These funds require a 25% state match, which the state is covering by the value of easemnts contributed during the LCIP days)

Historic Preservation Fund: $31,698,000 to State Historic Preservation
Offices. NH received $388,571. Matched 40% by the state

(from some state appropriations, donated services and materials, transfers
from other state agencies). The LCHIP could be used to provide match
for project work. There will be a big push for increased FY'01 funding
for the full authorized amount - $150 million. NH would receive

about
$2 million, a big increase because apportionment formula will change to NH's benefit.

As you know there is a big push coming this year to fully fund
LWCF and other programs. The Conservation and Reinvestment Act (HR701,
passed the House Resources Committee on strong bi-partisan vote; S25 in Senate) would authorize a total of $2.8 billion for LWCF, Wildlife Habitat Conservation, and Coastal Assistance programs. Funding coms from Outer Continental Shelf oil and gas lease revenues - <u>not the taxpayer</u>.
At this level, NH will receive in excess of $15 million, including over $4 million for Stateside LWCF - every dollar of which would require 1:1 local or state match.

In addition, the president's FY'01 budget is expected to seek $60 million for Forest Legacy. NH could probably get about $3 million of that.

So the long and the short is that there is tremendous momentum in Congress
and the Clinton Administration to increase funding for these programs, every one of which (except federal LWCF) requires a state or local match.
NH must be ready or we will risk losing big to state's that have matching funds.

State Incentive-Based Growth Management Laws

November 1999

NCSL and the Trust for Public Land (TPL) have developed a database of state legislation designed to provide financial and other incentives to manage growth and preserve open space. The database includes brief abstracts of enacted state legislation on such topics as conservation easements, land trusts, open space, smart growth and tax incentives, and a statutory citation for detailed reference to the provisions of each law. The database can be searched by state and topic.

As with all legislation, this database is a work in progress. New abstracts will be entered every two weeks. They will include summaries of existing laws and proposed legislation being considered during the 1999 sessions. Over the course of the year, the abstracts will be expanded to incorporate brief summaries of how the laws are being implemented.

The database is not intended to duplicate existing work of other organizations. It does not include summaries of planning and zoning laws that are more capably covered by the American Planning Association. Its emphasis is on recent legislation that represents a trend toward non-regulatory, incentive-based approaches to managing growth and preserving open space. Other helpful web sites include the Trust for Public Land, and the American Farmland Trust. NCSL and TPL are grateful for the generous funding support of the Henry M. Jackson Foundation in enabling this effort to proceed.

Select State(s):

- All States
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Select Primary Topic Area(s):

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State Incentive-Based Growth Management Laws

Alabama

Citation:	Summary	Topic Areas
Ala. Code, § 35-18-1 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic, or open-space values of real property; assuring its availability for agricultural, silvicultural, forest, recreational, or open-space use; protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, paleontological, or cultural aspects of real property. The holder of an easement may be a governmental body, a charitable corporation or a land trust. The term of a conservation easement must be stated at the time it is established, or it becomes the lesser of 30 years or the life of the grantor.	[Conservation Easements] [Land Trusts] [Open Space]

Arizona

Citation:	Summary	Topic Areas
Laws of 1998, House Concurrent Resolution 2027	Passed by the electorate on the November 1998 ballot as Proposition 303, it appropriates $220 million in general fund revenue over 11 years to purchase state trust lands--or the development rights to such lands--to protect open space. The referendum requires local governments or nonprofit groups using state grants to purchase trust lands to provide a 50-50 match. It also precludes state mandates for local urban growth boundaries and growth management plans.	[Funding Sources] [Grants/Loans] [Open Space] [Purchase of Development Rights]
Ariz. Rev. Stat. Ann., § 33-271 et seq.	Authorizes the creation of a conservation easement that imposes limitations for conservation purposes to preserve the historical, architectural, archaeological or cultural aspects of real property. Conservation purposes include preserving land areas for outdoor recreation, natural habitat of fish or wildlife, or open space for scenic enjoyment of the general public. A governmental body or charitable land trust may hold an easement. Conservation easements are voluntary in nature and unlimited in duration unless stated otherwise at the time of creation.	[Conservation Easements] [Land Trusts] [Open Space]
Ariz. Rev. Stat. Ann., 11-1101 et seq.	Authorizes a county to assess impact fees against developers provided it has adopted an ordinance for the public facility for which the fee is collected. A public facility is defined to include capital improvements for roadways, wastewater and drinking water systems, and public parks. The amount of the fee must be "reasonably attributable or reasonably related to the service demands of the benefit area," and shall not exceed "a proportionate share of the costs	[Impact Fees] [Land Use Planning] [Local Government]

	incurred or to be incurred in providing a public facility."	
 Laws of 1998, Chapter 204	The "Growing Smarter Act" amends existing local government planning law to require that municipal and county general plans include, among other components: (1) a land use element to promote infill and identify locations where development should be encouraged; (2) a growth area element to identify areas suitable for planned multimodal transportation, encourage mixed use development, conserve significant natural resources, and promote financially sound infrastructure expansion; and (3) a cost of development element to require developers to pay their fair share of the costs of providing necessary infrastructure. All zoning and rezoning must be consistent with and conform to the revised local government plans.	[Growth Management] [Land Use Planning] [Local Government] [Smart Growth]

Arkansas

Citation:	Summary	Topic Areas
Ark. Stat. Ann., §15-20-401 et seq.	Authorizes any state agency, county, municipality or charitable organization to hold a conservation easement for the preservation of historical, architectural, archeological or cultural aspects of real property.	[Conservation Easements] [Land Trusts] [Local Government]

California

Citation:	Summary	Topic Areas
Cal. Civil Code, §815 et seq.	Permits the voluntary conveyance of perpetual easements to any nonprofit organization or state or local government entity to retain real property in its natural, scenic, historical, agricultural, forested, or open-spaced condition.	[Conservation Easements] [Land Trusts] [Open Space]
Cal. Gov't Code, §66000 et seq.	Authorizes a local agency to assess a fee as a condition for approval of a development project, provided the agency identifies the purpose of the fee; identifies the use to which the fee will be put; determines how there is a reasonable relationship between the fee's use and the development project; determines how there is a reasonable relationship between the need for the public facility and the development project; and determines how there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development project. Facilities for which fees may be assessed include schools and facilities for nonagricultural water, sewage disposal, stormwater and flood control, electricity generation and distribution of gas and electricity, transportation, and parks and recreation.	[Impact Fees] [Land Use Planning] [Local Government]
1999 Senate Bill 680 (Passed Senate, in Assembly Committee)	Would authorize a 55 percent state income tax credit for individuals or corporations that donate conservation easements to natural resource lands to public agencies or nonprofit organizations. The Legislature would set the yearly amount of tax credits available, and the Resources Agency would be responsible for approving each donation. Roughly 55 percent of the tax credits would be allocated for land and water necessary to protect endangered species and for wildlife corridors, 35 percent for farmland protection, and 10 percent for parks and open space.	[Conservation Easements] [Income Taxes] [Tax Incentives]
 Assembly Bill 950 (Passed Assembly; in Senate	Would require a local agency formation commission responsible for reviewing and approving land use proposals that may lead to the conversion of open space to consider guiding the proposed new land use away from existing prime agricultural land towards areas that are	[Agricultural Land] [Local Government] [Open Space]

Committee)	not categorized as open space or prime agricultural lands.	[Rural Land]
Assembly Bill 1229 (Passed Assembly; in Senate Committee)	Expands the organizations eligible under the Agricultural Land Stewardship Program to hold conservation easements to include resource conservation districts and regional park or open space districts whose purposes include farmland preservation. Eligible districts can apply to the Department of Conservation for grant funds to purchase conservation easements.	[Agricultural Land] [Conservation Easements] [Open Space]

Colorado

Citation:	Summary	Topic Areas
Colo. Rev. Stat., §36-1-107.5	Directs the state Land Board to establish a long-term stewardship trust of up to 300,000 acres of land. It authorizes the board to sell or lease conservation easements on state trust lands.	[Conservation Easements] [Land Trusts] [Open Space]
Colo. Rev. Stat., §29-21-101	Creates a conservation trust fund in the Division of Local Government in the Department of Local Affairs consisting of lottery proceeds. The Division of Local Government must distribute shares from the fund annually to eligible counties, municipalities and special districts for the acquisition, development and maintenance of new conservation sites, or for capital improvements or maintenance for recreational purposes on any public site.	[Conservation Easements] [Funding Sources] [Local Government]
Colo. Rev. State. §31-25-301	Authorizes any town to acquire, establish and maintain land or interest in land for the preservation or conservation of sites, scenes, open space, and vistas of recreational, scientific, historic, esthetic or other public interest.	[Conservation Easements] [Local Government] [Open Space]
Colo. Const., Art. 27, §1 et seq.; Colo. Rev. Stat., §33-60-101 et seq.	Establishes the Great Outdoors Colorado Program to preserve, protect, enhance and manage the state's wildlife, park, river, trail and open space heritage. The program provides grants on a matching basis to local governments and nonprofit land conservation organizations to acquire title and development rights to open space. The constitutional amendment creates the Great Outdoors Colorado Trust Fund comprised of dedicated proceeds from the state lottery to finance the grant program.	[Funding Sources] [Grants/Loans] [Open Space]
1999 House Bill 1155 (Enacted)	Provides a state income tax credit for the donation of a conservation easement to a governmental entity or a nonprofit organization. The amount of the tax credit is equal to the fair market value of the conservation easement, not to exceed $100,000 per donation. The bill allows the unused portion of the tax credit to be carried forward for 20 years. Implementation Notes: The bill's fiscal note estimates that the impact of the tax credit on the state's general fund is projected at $238,500 in FY 2000, $715,000 in FY 2001, $1.16 million in FY 2002, and $1.5 million in subsequent years.	[Conservation Easements] [Income Taxes] [Tax Incentives]
Colo. Rev. Stat., §29-1-801 et seq.	Authorizes a local government to assess a fee on a land development as a condition for permit approval in order to finance an improvement or facility necessitated by the land development that is directly related to a local government service. Land development includes a subdivision of land or a change in the use of land that results in an increase in the number of service units. The fee must be contained in a charter or general policy of the local government that is adopted by resolution or ordinance.	[Impact Fees] [Land Use Planning] [Local Government]

Connecticut

Citation:	Summary	Topic Areas
Conn. Gen. Stat. Ann., §7-131d	Establishes the Protected Open Space and Watershed Land Acquisition Grant Program to be administered by the Department of Environmental Protection to provide grants to municipalities and nonprofit land conservation organizations to acquire title or development rights to land for open space and watershed protection purposes, and to provide grants to water companies for improvements to protect and supply safe drinking water. Municipalities, nonprofit land conservation organizations and water companies must provide matching funds as a condition for grant receipt. A permanent conservation easement must be executed at the time of closing on any property purchased with grant funds to protect in perpetuity the natural and open space characteristics of the land. Prior to disposing of any watershed land, a water company must notify the municipality in which the land is located, and any private nonprofit land-holding organization that has requested notification of potential watershed land sales, of the availability of the land, and offer the municipality or the private nonprofit land-holding organization first right of refusal to acquire the land.	[Conservation Easements] [Grants/Loans] [Land Trusts] [Open Space] [Purchase of Development Rights]
Senate Bill 1231 (Enacted as Public Act 99-235)	Stipulates that 21 percent of the state's land area shall be held as open space. The goal of the state's land acquisition program is to ensure that 10 percent of the state's land area is held by the state as open space, with not less than 11 percent of the state's land area to be held as open space by municipalities, water companies or nonprofit land conservation organizations. The act sets a strategy for land acquisition beginning with 3,000 acres in 1999, 4,000 acres each in 2000 and 2001, and 5,000 acres in 2002, to continue until the open space land acquisition goal is achieved. The state may not convey open space land to any person, organization or political subdivision of the state unless the recipient executes a conservation easement restricting development of the land.	[Conservation Easements] [Land Trusts] [Local Government] [Open Space]

Delaware

Citation:	Summary	Topic Areas
Del. Code Ann., § 7-6901 et seq.	Authorizes the creation of a conservation easement to retain land or water areas predominantly in their natural, scenic, recreational or open condition, or in agricultural, farming, forest or open space use. Authorizes the creation of a preservation easement to preserve a structure or site historically significant for its architecture, archeology or associations. Governmental bodies or charitable trusts may acquire such easements. Easements may be released, in the same manner that the holder may dispose of real property, subject to conditions imposed at the time of creation of the easement.	[Conservation Easements] [Land Trusts] [Open Space]
1999 House Bill 248 (Passed House; in Senate)	Would create a state income tax credit for permanent gifts of land or conservation easements to public agencies and qualified private nonprofit, charitable organizations. Eligible property must meet criteria for open space established by the Delaware Land Protection Act, consist of natural habitat for the protection of Delaware's unique and rare biological natural resources, or protect Delaware's important historic resources. The tax credit is based on 40 percent of the fair market value of the gift, but cannot exceed $50,000. In any one tax year, the credit claimed cannot exceed the tax due, but unused portions of the credit can carry forward for up to five consecutive years. The total amount of tax credits made by the state under this provision cannot exceed $1 million a year over a ten-year period for a total of $10 million.	[Conservation Easements] [Open Space] [Tax Incentives]

Florida

Citation:	Summary	Topic Areas
Fla. Stat. Ann., §259.101, §375.045	Creates the Florida Preservation 2000 Program and the Florida Preservation 2000 Trust Fund to preserve natural areas that are subject to development pressures. The trust fund, administered by the Department of Environmental Protection, is comprised of state revenue bond proceeds to be used to acquire title or development rights to lands that protect valuable natural resources, provide open space for natural resource based recreation, recharge groundwater, serve as habitat for threatened or endangered species, or preserve important archeological or historical sites.	[Bonds] [Conservation Easements] [Funding Sources] [Open Space] [Purchase of Development Rights]
1998 Amendment No. 5	Among other provisions, this ballot measure authorizes the state to issue revenue bonds to finance the acquisition and improvement of land, water and related natural resources for conservation, outdoor recreation, water resources development, restoration of natural systems and historic preservation purposes.	[Bonds] [Funding Sources] [Open Space]
Fla. Stat. Ann., §704.06	Authorizes any governmental body or agency or a charitable corporation or trust whose purposes include protecting the natural, scenic or open space value of real property, assuring its availability for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving sites or properties of historical, architectural, archeological or cultural significance to acquire a conservation easement.	[Conservation Easements] [Land Trusts] [Open Space]
Senate Bill 908 (Enacted as Chapter 99-247)	Creates the Florida Forever Program, a 10-year, $300 million annual bond-funded program designed to purchase environmentally significant lands and water resource development projects. Bond proceeds are to be deposited in the Florida Forever Trust Fund. Twenty-four percent of the proceeds--$72 million annually--is allocated to the Florida Communities Trust in the Department of Community Affairs for land acquisition and for grants to local governments and nonprofit environmental organizations for the purchase of community-based, urban open spaces, parks and greenways to implement local government comprehensive plans. Debt service on the bonds is to be paid from documentary stamp tax revenue.	[Bonds] [Funding Sources] [Local Government] [Open Space]
Senate Bill 906 (Enacted as Chapter 99-246)	Creates the Florida Forever Trust Fund to be administered by the Department of Environmental Protection. The fund consists of state revenue bonds used for land acquisition under the Florida Forever Program. The fund's cap is $3 billion.	[Bonds] [Funding Sources] [Open Space]
House Bill 17 (Enacted as Chapter 99-378)	Authorizes counties and municipalities to designate urban infill and redevelopment areas. Local government incentives to developers for new development, expansion of existing development or redevelopment within an urban infill and redevelopment area include waiver of license and permit fees, waiver of local option sales taxes, expedited permitting, lower transportation impact fees for development that encourages public transit, prioritized infrastructure financing, and absorption of developer's concurrency costs. State incentives for local governments that adopt urban infill and redevelopment plans include authority to issue community redevelopment revenue bonds, community redevelopment tax increment financing, and priority in the allocation of private activity bonds. The act also establishes a grant program for local government projects in urban infill and redevelopment areas, and amends the state's transportation concurrency requirements to encourage public transit facilities within urban infill and redevelopment areas.	[Funding Sources] [Growth Management] [Local Government] [Smart Growth] [Tax Incentives]

Georgia

Citation:	Summary	Topic Areas
Ga. Code Ann., § 44-10-1 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting the natural, scenic, or open-space values of real property; assuring the availability of property for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archeological, or cultural aspects of property. Governmental bodies or charitable land trusts may be holders of conservation easements. A conservation easement is unlimited in duration unless otherwise provided for at the time of creation.	[Conservation Easements] [Land Trusts] [Open Space]
Ga. Code Ann., §36-71-1 et seq.	Authorizes any municipality or county that has prepared a comprehensive plan containing a capital improvements element to adopt an ordinance imposing a development impact fee as a condition for approval of a proposed development. The fee may not exceed a proportionate share of the cost of system improvements, and is to be calculated on the basis of levels of service for public facilities applicable to existing development and new growth. Development impact fee revenue may be spent only for system improvements for which the fee was collected and only in service areas where the project is located. Before adopting a development impact fee ordinance, a municipality or county must establish a development impact fee advisory committee with at least 40 percent of the membership consisting of development interests.	[Growth Management] [Impact Fees] [Local Government]

Idaho

Citation:	Summary	Topic Areas
Idaho Code, § 55-2101 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a governmental body or charitable land trust. A conservation easement is unlimited in duration unless otherwise stated at the time of its creation. The granting of a conservation easement shall not have an effect on the market value of property for the purpose of ad valorem tax assessment.	[Conservation Easements] [Land Trusts] [Open Space]
1999 House Bill 145 (Enacted as Chapter 125)	Authorizes counties to issue bonds to purchase open space or conservation easements for scenic and recreational purposes.	[Bonds] [Conservation Easements] [Local Government] [Open Space]

Illinois

Citation:	Summary	Topic Areas
1999 House Bill 2208 (In House Committee)	Would provide a state income tax credit equal to the fair market value of a conservation easement granted by a landowner under the Illinois Conservation Enhancement Act. The Department of Agriculture would determine the fair market value of land protected by a conservation easement. The tax credit may be carried over for three years if it exceeds a taxpayer's tax liability in the year in which it is applied.	[Conservation Easements] [Income Taxes] [Tax Incentives]
1999 House Bill 2697 (In House Committee)	Would authorize local governments--including counties, townships, municipalities, and soil and water conservation districts--to acquire real property development rights, and provide state grants to local governments to purchase development rights.	[Grants/Loans] [Local Government] [Purchase of Development Rights]
1999 House Bill 64 (In House Committee)	Would expand the use of revenue in the Conservation 2000 Fund and the Conservation 2000 Projects Fund to be used to purchase open space, especially in high-growth areas of the state.	[Funding Sources] [Grants/Loans] [Open Space]
1999 House Bill 211 (In House Committee)	Would authorize counties and municipalities to acquire open space land after adoption of an open space plan. The plan must identify the open space land necessary to achieve the program's objectives; state the costs of implementing the plan; indicate the tax necessary to finance the principal and interest on bonds issued to acquire the land; and establish standards and procedures for setting priorities for the acquisition of specific parcels of land. The plan must be submitted to the voters as a referendum for approval. The legislation also would authorize landowners to transfer the development rights to farmland to local governments for deposit in a development rights bank.	[Agricultural Land] [Bonds] [Open Space] [Transfer of Development Rights]
1999 Senate Bill 1087 (Enacted as Public Act 91-220)	Establishes the Illinois Open Land Trust Program and the Illinois Open Land Trust Fund to be administered by the Department of Natural Resources. The program's purpose is to acquire real property or conservation easements for natural areas from willing sellers for conservation and recreational purposes. The department may make grants or loans to local governments from the fund to acquire open space and natural lands. Grantees and loan recipients must, as a condition of financial assistance, agree to convey to the state a conservation easement to land acquired with fund assistance.	[Conservation Easements] [Grants/Loans] [Open Space]

Indiana

Citation:	Summary	Topic Areas
Ind. Code Ann., § 32-5-2.6 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. Governmental bodies or charitable land trusts may hold conservation easements. A conservation easement is unlimited in duration unless the instrument creating it provides otherwise. For the purposes of taxation, property subject to a conservation easement shall be assessed and taxed on a basis that reflects the easement.	[Conservation Easements] [Land Trusts] [Open Space]

Iowa

Citation:	Summary	Topic Areas
1999 Senate File 293 (In Senate Committee)	Would create the State Strategic Development Council to coordinate development projects by state agencies and prepare a state strategic development plan. The bill also would establish the Land Management Planning Board composed of state and local government representatives to oversee planning by local governments. The board would be empowered to approve local government strategic development plans and administer the Land Use Planning Fund. Revenue in the fund would be used to reimburse local governments for costs incurred in preparing strategic development plans. A strategic development plan would have to identify one or more strategic development areas and could identify one or more strategic preservation areas. The objectives of a strategic development plan would include: (1) encouraging compact and contiguous high-density development in appropriate areas; (2) preserving nonreplaceable farmland and natural areas; and (3) preventing sprawl. The bill would provide for a dispute resolution process where a local government fails to ratify the strategic development plan. Counties and municipalities would be required to amend their comprehensive plans to conform to the provisions of the strategic management plan approved by the board.	[Funding Sources] [Growth Management] [Land Use Planning] [Local Government] [Smart Growth]

Kansas

Citation:	Summary	Topic Areas
Kan. Stat. Ann., § 58-3810 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a governmental body or a charitable land trust. Unless otherwise stated at the time of the easement's creation, it is limited in duration to the lifetime of the grantor and may be revoked at the grantor's request. Easements may not impair the rights of a public utility, city or a watershed district with respect to the acquisition of rights-of-way, easements or other property rights upon which utilities or watershed structures are located.	[Conservation Easements] [Land Trusts] [Open Space]

Kentucky

Citation:	Summary	Topic Areas
Ky. Rev. Stat., § 382.800 et seq.	Authorizes the establishment of a conservation easement to impose limitations to protect natural, scenic, or open space values; assure its availability for agricultural, forest, recreational, or open space use; protect natural resources; maintain or enhance air or water quality; or preserve historical, architectural, archaeological, or cultural aspects of real property. Governmental bodies or charitable land trusts may hold conservation easements. The duration of a conservation easement is unlimited unless otherwise stated at the time the easement is created.	[Conservation Easements] [Land Trusts] [Open Space]

Maine

Citation:	Summary	Topic Areas
Me. Rev. Stat. Ann., 30-A §4354	Authorizes a municipality to enact an ordinance requiring a developer to construct off-site capital improvements or pay an impact fee. The fee may require the developer to pay the entire cost of infrastructure improvements for wastewater, drinking water, solid waste, fire protection, roads, and parks and open space. The fee amount must be reasonably related to the developer's share of the infrastructure's cost.	[Growth Management] [Impact Fees] [Local Government]
Me. Rev. Stat. Ann., 33 §476 et seq.	Authorizes the creation of a conservation easement that restricts the use of real property to protect natural, scenic or open space values; assure its availability for agricultural, forestry, recreational or open space use; protect natural resources; or maintain or enhance air or water quality. The holder of an easement may be a governmental body or a nonprofit corporation or charitable land trust. The easement's duration may be unlimited unless a lesser time is designated at the time it is created, or circumstances in the future have changed to render the easement no longer in the public interest.	[Conservation Easements] [Land Trusts] [Open Space]
Me. Rev. Stat. Ann., 5 §6200 et seq.	Establishes the Land for Maine's Future Fund to be administered by the Land for Maine Future's Board. The fund consists of proceeds from the sale of bonds and contributions from private and public sources. Revenue in the fund is to be distributed to state agencies and cooperating entities to purchase property or interests in property, including conservation easements, that qualifies as natural resource lands of state significance, including farmland and open space with conservation, wilderness or recreational values.	[Conservation Easements] [Funding Sources] [Open Space] [Purchase of Development Rights]
1999 Legislative Document 1080 (In Joint Committee)	Would require that growth-related capital investments by the state be made only in a locally designated growth area identified in a local comprehensive plan, or in areas served by a public sewer system with sufficient capacity to accommodate growth.	[Growth Management] [Local Government] [Smart Growth]

Maryland

Citation:	Summary	Topic Areas
Md. Code Ann., SF §5-7B-01 et seq.	Establishes the Priority Funding Areas Program that designates the types of existing areas--primarily urban centers and areas proposed for revitalization--that are eligible for state economic development funds, and authorizes counties to designate priority funding areas that meet local guidelines for intended use and have sufficient infrastructure in place to make development viable. Beginning October 1, 1998, no state funding of growth related projects can occur unless the projects are located in a priority funding area. To receive funding, a local government must certify to the state Office of Planning that a project is within a designated area.	[Grants/Loans] [Growth Management] [Land Use Planning] [Local Government] [Smart Growth]
Md. Code Ann., NR §5-9A-01	Establishes the Rural Legacy Program to enhance the protection of natural resources while maintaining the viability of agricultural and forestry lands. It provides state funds to local governments and land trusts to purchase land and development rights from willing sellers. The primary funding sources are a portion of the state's property transfer tax, general obligation bonds and zero-coupon bonds.	[Bonds] [Open Space] [Purchase of Development Rights] [Real Estate Transfer Taxes] [Rural Land]
Md. Tax-Property Code, §2-	Authorizes the governing body of any county or municipality to grant a property tax credit against the county or municipal property tax imposed on any real property that is subject to a perpetual	[Conservation Easements] [Local Government] [Tax

220	conservation easement donated to a qualified land trust.	Incentives]
Md. Real Property Code, §2-118	Authorizes the creation and enforcement of conservation easements to prohibit the development or limit the use of water or land areas.	[Conservation Easements] [Open Space]
1999 House Bill 5 (Enacted as Chapter 304)	Establishes a Smart Growth Economic Development Infrastructure Fund in the Department of Business and Economic Development. The fund is to be used to make loans to economically distressed counties to finance economic development projects.	[Grants/Loans] [Smart Growth]

Massachusetts

Citation:	Summary	Topic Areas
1999 Senate Bill 1626 and House Bill 1295 (In Joint Senate-House Committee)	Would authorize a state income tax credit for the donation of a conservation easement on conservation lands. The tax credit is equal to 50 percent of the fair market value of the land, up to a maximum of $50,000.	[Conservation Easements] [Income Taxes] [Tax Incentives]
Senate Bill 1513 and House Bill 3203 (In Joint Committee)	The Community Preservation Act would authorize the local legislative body of a municipality to refer to its electorate use of a portion of the local excise tax or real estate tax to fund a community preservation program. If a funding mechanism is approved, the municipality shall form a community preservation committee to develop a community preservation plan. The plan shall address the municipality's need for open space preservation, historic preservation and community housing. The committee may use revenue in its community preservation fund to purchase interests in open space, which must include a conservation easement restricting the use of the land for open space purposes. A municipality that adopts a community preservation program may issue bonds to help capitalize its community preservation fund.	[Conservation Easements] [Funding Sources] [Local Government] [Open Space]

Minnesota

Citation:	Summary	Topic Areas
Minn. Stat. Ann., § 84C.01 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a governmental body or a charitable land trust. A conservation easement is unlimited in duration unless the instrument creating it provides otherwise.	[Conservation Easements] [Land Trusts] [Open Space]
Minn. Const., Art. 11, §14	Establishes the Environment and Natural Resources Trust Fund. The legislature is responsible for appropriating revenue in the fund for projects that protect, conserve, preserve and enhance the state's air, water, land, fish, wildlife and other natural resources. The constitutional amendment credits not less than 40 percent of the net proceeds of the state lottery to the fund.	[Funding Sources] [Grants/Loans] [Open Space]
House File 2420 (Enacted)	As part of the omnibus tax bill, article 5, sections 34, 35, 39, 40 and 41 authorize local governments to acquire development rights to property in the form of a conservation easement, and to issue bonds to purchase development rights.	[Bonds] [Conservation Easements] [Local Government]

[Purchase of Development Rights]

Mississippi

Citation:	Summary	Topic Areas
Miss. Code Ann., § 89-19-1 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body, nonprofit or charitable land or educational trust may hold an easement. A conservation easement is unlimited in duration unless otherwise provided for at the time of its creation.	[Conservation Easements] [Land Trusts] [Open Space]

Nevada

Citation:	Summary	Topic Areas
Nev. Rev. Stat., § 111.390 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body or charitable land trust may hold a conservation easement. The duration of a conservation easement is unlimited unless otherwise provided for when it is created, or established by court order.	[Conservation Easements] [Land Trusts] [Open Space]
Nev. Rev. Stat., §278B.010 et seq.	Authorizes a local government to adopt an ordinance imposing an impact fee in a service area to cover the costs of constructing capital improvements attributable to new development. The local government must adopt a capital improvements plan by ordinance that contains land use assumptions within designated service areas where impact fees may be assessed. Impact fee revenue must be deposited in an interest-bearing account that clearly identifies the capital improvements within the service area for which the fee was collected. Before imposing an impact fee, the local government must establish an advisory committee that includes at least one member of the development community.	[Growth Management] [Impact Fees] [Local Government]

New Jersey

Citation:	Summary	Topic Areas
Laws of 1998, Senate Concurrent Resolution 66	Passed by the electorate on the November 1998 ballot as Public Question No. 1, the constitutional amendment dedicates $98 million annually from the state sales tax over 10 years to purchase land for recreation and conservation purposes, farmland preservation, and historic preservation. The constitutional amendment also sets aside $98 million annually for 20 years to repay up to $1 billion in bonds issued to finance open space.	[Agricultural Land] [Bonds] [Funding Sources] [Open Space] [Sales Taxes]
N.J. Stat. Ann., 40:55D-42	Authorizes a municipality to adopt an ordinance requiring a developer to pay the pro-rata share of the costs of providing reasonable and necessary street improvements and water, sewer and drainage facilities, that are located outside the development boundaries but necessitated by construction within the development boundaries. The impact fee may be assessed as a condition for approval of a subdivision or cite plan.	[Growth Management] [Impact Fees] [Local Government]

 Senate Bill 1544 (Passed Senate in Assembly Committee)	Would provide a corporation business tax credit equal to between 30 and 50 percent of the value of any, land or interest in land donated to the state for recreation and conservation purposes, not to exceed $1 million per year. Any unused portion of the tax credit could be carried over in future years. The bill also would provide a personal income tax credit equal to between 30 and 50 percent of the value of any, land or interest in land donated to the state for recreation and conservation purposes. The credit may not exceed the taxpayer's liability for the year.	[Conservation Easements] [Funding Sources] [Open Space] [Tax Incentives]
Senate Bill 9 (Enacted as Chapter 152)	Establishes the Garden State Preservation Trust consisting of nine members--four state agency directors and five public members. The trust provides funding for the Department of Environmental Protection, the State Agriculture Development Committee and the New Jersey Historic Trust to cover the costs of projects undertaken by those entities and grant or loan recipients for recreation and conservation, farmland preservation and historic preservation purposes. The trust is empowered to issue bonds payable out of the revenues of the trust. From July 1, 1999 through June 30, 2009, the trust may issue bonds in an amount not to exceed $1 billion to purchase land or development rights in land for authorized purposes. From July 1, 2009 through June 30, 2029, the trust may issue bonds in an amount not to exceed $2 billion solely for bond-refunding purposes. The act also establishes the Garden State Preservation Trust Fund Account comprised of state general fund revenue collected from the state sales and use tax equal to $98 million annually for 30 years. For each of fiscal years 2000 through 2009, the trust shall transfer 60 percent of its revenue to the Garden State Green Acres Preservation Trust Fund; 40 percent to the Garden State Farmland Preservation Trust Fund; and $6 million to the Garden State Historic Preservation Trust Fund. Fifty percent of the revenue in the Green Acres program is allocated for open space acquisition and park development by the state; 40 percent for grants and low-interest loans to local governments for open space acquisition and park development; and 10 percent for grants to nonprofit organizations for open space acquisition and park development. Implementation Notes: Senate Bill 9 was enacted to implement a successful 1998 constitutional amendment (Public Question No. 1) that dedicated $98 million annually over 10 years to purchase open space, and set aside an additional $98 per year for 20 years to repay $1 billion in revenue bonds. New Jersey voters had previously approved nearly $1.4 billion in state bonds since 1961 to protect more than 400,000 acres of land. At the local level, 53 municipalities and 13 counties have raised taxes to purchase open space. The legislation's intent is to work in tandem with local governments and private land trusts to preserve one million acres of the state's remaining two million acres of undeveloped land--or 20 percent of the state's land area--over the next 10 years.	[Agricultural Land] [Bonds] [Grants/Loans] [Open Space] [Sales Taxes]

New Mexico

Citation:	Summary	Topic Areas
N.M. Stat. Ann., § 47-12-1 et seq.	Authorizes the creation of a land use easement to protect natural or open spaces, to assure availability of property for agricultural, forest, recreational or open space use, or to protect natural resources. The holder of an easement may be a nonprofit corporation, nonprofit association or nonprofit trust. The term of a land use easement must be stated in the terms of the easement.	[Conservation Easements] [Land Trusts] [Open Space]

New York

Citation:	Summary	Topic Areas
N.Y. Env. Con. Law, §49-0301 et seq.	Authorizes public bodies and nonprofit conservation organizations to acquire and hold any conservation easement for the purpose of preservation or maintaining the scenic, open, historic, archeological, architectural or natural condition, character, significance or amenities of real property.	[Conservation Easements] [Land Trusts] [Open Space]
1999 Assembly Bill 1969, Senate Bill 1367 (AB 1969 in Assembly Committee; SB 1367 in Senate Committee)	Establishes a Smart Growth Economic Competitiveness Task Force to assist the governor in preparing a smart growth strategy. The intent of the strategy is to promote economic competitiveness through the development of infrastructure and local land use planning. The bill also establishes a program to fund regional compact economic competitiveness grants.	[Grants/Loans] [Land Use Planning] [Smart Growth]
Assembly Bill 8386 (In Assembly Committee)	The proposed Smart Growth for the New Century Act would authorize local governments to submit a smart growth plan to the Smart Growth Review Board for review and approval. The plan would implement the act's smart growth principles (which include elements related to public investment, economic development, conservation, coordination, community design, transportation and consistency); present a long-range plan detailing growth and conservation goals; map all areas designated in the plan for growth, redevelopment and preservation; demonstrate how land use regulations will ensure compliance with the plan; and show how publication participation will be used in developing and implementing the plan. The board has the power to review plan applications and certify or revoke approval of each plan. Each state agency shall give priority in making funding decisions to local governments that have certified smart growth plans. State financial assistance for projects may only be provided to areas designated in a smart growth plan as growth or redevelopment areas. Property within a designated growth or redevelopment area is eligible for a property tax exemption for a percentage of any increase in its assessed valuation. Areas designated for preservation will receive funding preference from the Office of Parks, Recreation and Historic preservation.	[Growth Management] [Land Use Planning] [Local Government] [Smart Growth] [Tax Incentives]
Assembly Bill 130-A (In Assembly Committee)	The proposed New York State Smart Growth Compact Act authorizes the creation of smart growth compact areas. Each smart growth compact area would be governed by a smart growth compact council composed of elected local officials within the area's boundaries. Each council would be empowered to prepare and enforce a smart growth compact plan, and provide technical and financial assistance to local governments preparing plans or regulations to implement the compact plan. Once adopted by the council, the compact plan must be ratified by each local government within the compact area and be submitted to the state Smart Growth Review Board for certification. Local governments with certified smart growth plans qualify for state priority incentive funding, especially for drinking water and wastewater infrastructure grants and loans.	[Grants/Loans] [Growth Management] [Land Use Planning] [Local Government] [Smart Growth]
Assembly Bill 1362 (In Assembly Committee)	Would provide a state income tax credit to a corporation that donates an interest in real property for beach access or use, public access to public waters or trails, fish and wildlife conservation, or other similar land conservation purposes equal to 25 percent of the property's fair market value, not to exceed $250,000 for any four consecutive tax years. The bill would provide a similar tax credit to an individual taxpayer for the same purposes, not to exceed $100,000 for any four consecutive tax years. The bill also establishes a Real Property Donation Credit Transitory Fund to be used as full funding for the income tax credits. The fund consists of revenue transferred from the Environmental Protection Fund or from the sale of bonds pursuant to the Clean Water, Clean Air Bond Act of 1996.	[Conservation Easements] [Open Space] [Tax Incentives]

North Carolina

Citation:	Summary	Topic Areas
N.C. Gen. Stat., §105-130.34, §105-151.12	Provides a state income tax credit for corporations and individuals that donate conservation lands to the state, local governments or nonprofit organizations. The tax credit is equal to 25 percent of the fair market value of the land, not to exceed $250,000. It may not exceed the amount of the tax imposed on the corporation or individual in the year it is claimed. Any unused portion of the credit may be carried over for the next five years.	[Conservation Easements] [Income Taxes] [Tax Incentives]

Oregon

Citation:	Summary	Topic Areas
1998 Measure No. 66	This ballot measure dedicates 15 percent of state lottery proceeds to a new fund for land conservation purposes. One-half of the revenue in the fund is to be used to create and maintain state parks, ocean shores, public beach access areas, historic sites and recreation areas. The other half of the fund's revenue is to be used to protect salmon, wildlife habitat and watersheds.	[Funding Sources] [Open Space]

Pennsylvania

Citation:	Summary	Topic Areas
1999 House Bill 350 and House Bill 525 (In House Committee)	Proposes to refer to the electorate a ballot measure that would issue a $100 million state general obligation bond to purchase agricultural conservation easements.	[Agricultural Land] [Bonds] [Conservation Easements]
1999 House Bill 788 (Passed House in Senate Committee)	Authorizes the creation of a conservation easement or a preservation easement that may be perpetual in length, but not less than 25 years in duration.	[Conservation Easements] [Open Space]
1999 House Bill 1200 and Senate Bill 800 (HB 1200 in House Committee; SB 800 in Senate Committee)	Would establish the Environmental Stewardship Fund to be administered by the Department of Environmental Protection. One-third of the revenue in the fund would be allocated to the Department of Conservation and Natural Resources to be used for, among other purposes, grants to municipalities and conservation districts to acquire or restore open space, watersheds, community parks and recreation areas, and farmland. The fund's revenue sources would include money appropriated by the legislature--with an annual cap of $55 million--and transfers from the Recycling Fund and the Hazardous Sites Cleanup Fund--not to exceed $30 million annually.	[Agricultural Land] [Funding Sources] [Grants/Loans] [Open Space]
House Bill 13 (In House Committee)	Among other provisions, the bill would require a municipality, as a condition for subdivision and land development approval, to ensure that the infrastructure necessary to support a development project is identified and provided concurrent with the impacts of the project. The bill also would authorize local zoning ordinances to contain provisions for the transfer of development rights on a regional basis to preserve farmland, environmentally sensitive areas, and areas of cultural or historical significance. Zoning ordinances would have to protect farmland and promote the creation of agricultural security areas.	[Agricultural Land] [Land Use Planning] [Local Government] [Smart Growth] [Transfer of Development Rights]

Senate Bill 970 (Enacted as Act 15)	Among other provisions, Senate Bill 970 establishes a supplemental Agricultural Conservation Easement Purchase Program. Funds in the program are to be allocated by the State Agricultural Land Preservation Board to eligible counties for conservation easement purchase programs under the Agricultural Area Security Act; for technical assistance to eligible counties for long-term installment purchases of agricultural conservation easements; and to reimburse private land trusts for expenses incurred in acquiring agricultural conservation easements. The act also authorizes eligible counties to appropriate additional funds to purchase agricultural conservation easements. Implementation Notes: This legislation supplements Pennsylvania's existing farmland preservation program, which has preserved more than 1,090 farms and 136,000 acres in 46 counties since its inception in 1989. The effect of the legislation is to add an additional $43 million to the agricultural conservation easement purchase program.	[Agricultural Land] [Conservation Easements] [Funding Sources] [Land Trusts] [Local Government]

Rhode Island

Citation:	Summary	Topic Areas
1998 Question No. 3	This ballot measure authorizes the state to issue general obligation bonds in an amount not to exceed $15 million for environmental and recreational purposes. One-third of that amount--$5 million--would be allocated to (1) the Department of Environmental Management to purchase land, development rights and conservation easements to protect natural and recreational resources, and to acquire greenways; and (2) to the Agricultural Land Preservation Commission to purchase development rights to farmland.	[Agricultural Land] [Bonds] [Conservation Easements] [Open Space] [Purchase of Development Rights]

South Carolina

Citation:	Summary	Topic Areas
S.C. Code Ann., § 27-8-10 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body, not-for-profit organization, educational corporation or charitable land trust may hold a conservation easement. It is limitless in duration unless otherwise designated at the time it is created. For ad valorem tax purposes, property must be assessed and taxed on a basis that reflects the easement.	[Conservation Easements] [Land Trusts] [Open Space]
S.C. Code Ann., §49-29-100	Provides a personal income tax deduction to landowners that donate a perpetual easement to the state under the scenic rivers program. The deduction is equal to the fair market value of the easement.	[Conservation Easements] [Income Taxes] [Tax Incentives]

Tennessee

Citation:	Summary	Topic Areas
Tenn. Code Ann., §6-58-101 et seq.	Chapter 1101 of 1998 creates within each county a coordinating committee, and requires the committee to recommend a growth plan to the county legislative body and to the governing body of each municipality within the county for ratification no later than January 1, 2000. The plan must identify urban growth boundaries for each municipality, and planned growth areas and rural areas within the county. If the county or municipality rejects the plan, the Secretary of State may appoint a dispute resolution panel to resolve the differences. The ratified plan must be submitted to the local government planning advisory committee for approval. Once approved, all land use decisions made by a county or municipality must be consistent with the growth plan. After July 1, 2001, state economic development and infrastructure financial assistance will not be available to counties and municipalities that do not have approved growth plans.	[Growth Management] [Land Use Planning] [Local Government] [Smart Growth]

Texas

Citation:	Summary	Topic Areas
Tex., Natural Resources Code, § 183.001 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body or charitable land trust may hold a conservation easement. A conservation easement is unlimited in duration unless the instrument creating it makes some other provision. Once land is no longer subject to a conservation easement, an additional tax is imposed on the land equal to the tax break received for the five years prior to termination of the easement plus 7 percent interest calculated on an annual basis.	[Conservation Easements] [Land Trusts] [Open Space]

Utah

Citation:	Summary	Topic Areas
1999 House Bill 119 (Enacted as Chapter 24)	Establishes a Quality Growth Commission and reestablishes the LeRoy McAllister Critical Land Conservation Fund. The commission is responsible for making recommendations to the legislature regarding what constitutes quality growth areas--areas where local governments have sufficient infrastructure in place to service growth--and what types of state revenue should be targeted to such areas. The commission also is charged with administering the land conservation fund. Revenue in the fund--initially a $3 million legislative appropriation--is to be used to acquire conservation easements to open space and agricultural lands.	[Conservation Easements] [Funding Sources] [Open Space] [Smart Growth]

Vermont

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§82.02.050 et seq.	development activity to finance public facilities, provided there is a balance between the impact fee and other sources of funding for the public facilities. An impact fee must be reasonably related to the proposed development; not exceed a proportionate share of the costs of system improvements that are reasonably related to the proposed development; and be used to reasonably benefit the proposed development. An impact fee may be assessed only for public facilities that are identified in the capital facilities plan of a local government's comprehensive growth management plan, and must be contained in an ordinance adopted by the local government. Allowable public facilities include roads, parks, open space and recreational facilities, schools, and fire protection facilities.	Planning] [Local Government]

West Virginia

Citation:	Summary	Topic Areas
W. Va. Code, §20-12-1 et seq.	Authorizes any governmental body or qualified charitable tax exempt organization to hold a conservation easement. It defines a conservation easement as a nonpossessory interest in real property that imposes limitations or affirmative obligations to retain or protect for the public benefit the natural, scenic or open-space value of real property.	[Conservation Easements] [Land Trusts] [Local Government]
W. Va. Code, §7-20-1 et seq.	Authorizes counties to assess fees for any new development projects to cover the costs associated with necessary capital improvements or other services attributable to the development. The fees may not exceed a proportionate share of the costs required to service the development. The county must be able to demonstrate that the new development will realize a reasonable benefit from the capital improvement financed with the fee. Prior to assessing a fee, the county must meet certain criteria, including a demonstration of adequate population growth and adoption of a comprehensive plan.	[Growth Management] [Impact Fees] [Local Government]

Wisconsin

Citation:	Summary	Topic Areas
Wis. Stat. Ann., § 700.40	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body or charitable land trust may hold a conservation easement. It is unlimited in duration unless otherwise designated at the time of its creation.	[Conservation Easements] [Land Trusts] [Open Space]
Wis. Stat. Ann., §71.28, §71.57 et seq.	Provides an income tax credit to owners of farmland that is subject to a farmland preservation agreement restricting the land's use. The income tax credit is calculated against property taxes accrued in the preceding year. The maximum income tax credit is $4,200.	[Agricultural Land] [Income Taxes] [Tax Incentives]

Speakers

Date _____ Time _____

SENATE SB 401 COMMITTEE

PUBLIC HEARING
ON

APPEARING IN FAVOR: (Please Print)

CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☐	James L Gammi	8 Pillsbury St.	NH Division of Historical Resources
☒	Eric Williams	6 Hazen Dr. Concord	NH DES
☐	Rep. Tim O'Connell	Milford - Hills Dist. 13	Save Monson Assoc.
☐	Carol Barleon	2½ Beacon St.	Office of State Planning
☐	PAUL DOSCHER	274 POOR FARM RD, WEARE 03281	
☒	SENATOR FRED KING		DISTRICT 1
☒	JULIAN ZELAZNY	3 Silk Farm Rd Concord	Audubon Soc - NH
☒	Gen Arthur Klemm	Windham N.H.	Dist. 22
☒	Tom Burack	1175 Black Brook Rd Dunbarton	Self (former Comm LCHC)
☒	Rep Mary Stuart Gile	152 Main St	Portsmouth
☐	Dan Snodgrass	PO Box 140, Sutton, NH	Sutton P.B.
☒	Jennifer Goodman	264 N. Main St Concord	NH Preservation Alliance
☐	Geoffrey Jones	PO Box 336, Stoddard, NH 03464	Stoddard Cons. Comm.

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SENATE SB 401 COMMITTEE

PUBLIC HEARING
ON

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☐	Bill Hunna	38 Birch Hill Rd., Lee NH	SELF
☐	SAMUEL LANGLEY	12 HOWARD AVE NORTHFIELD	SELF
☐	DAVID SCHAAF SMITH	46 BROOK ST APT 3 KEENE	NHLA
☐	Jack Shenbone	Deerfield NH	NH Lakes Assoc
☑	LARRY BROWN	RFD BOX 6150 UNION NH.	MOOSE N.H. FARM MUSEUM Nh. Regional Greenway
☑	CYNTHIA WYATT	RFD Box 6230 Union, NH	N.H. Farm Museum Moose Mt Regional Greenway
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SENATE Environment COMMITTEE

PUBLIC HEARING
ON SB 401-FN-A-L

APPEARING IN FAVOR: (Please Print)

CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☒	JoANNA LUBKIN	14 THOREAU DR NASHUA 03060	STUDENT HISTORIC PRESERVATION TEAM
☐	H. Bernard Waugh Jr.	Box 617 Concord 224-7447	NH Municipal Assn
☐	Henry Reid	80 Pond Rd Sugar Hill N.H.	AMMO Assoc Conservation Dist
☐	MICHAEL ANDREWS	PO Box 24 WASHINGTON, NH	SELF
☐	REP JAY PHINIZY	SULLIVAN DIST 7	
☐	Charles Levesque	37 Old Pound Rd Antrim 03440	Trust for Public Land
☐	Gina S. Frenden	150 Raymond Rd Nottingham 03290	NASN H-Sol/
☐	Rep. Gillian Wiggins	Sullivan District #4	
☐	Kathleen Harvey	Brookline, NH	Brookline Conservation
☐	Patty Ingram Patrick Wilson	POB 90 Gilford NH	Eagle Block Commission
☒	Gordon J. Russell	42 Perkins Pl Keene	Pisgatquis Landowners
☒	Rob Trowbridge	45 Long Hill Rd. Peterborough	Himself
☒	Tom Howard	HC 62 Box 158 CTR HBR	NH Assoc. of REALTORS
X	Ben Gayman	Society for Protection of NH Forests	Portsmouth St Concord

written testimony

APPEARING IN OPPOSITION: (Please Print)

CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☒	Nancy C. Dutton	PO Box 2043 Concord 03302-2043	Dept. of Cultural Resources
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SENATE SB 401 COMMITTEE

PUBLIC HEARING
ON

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☐	Timothy Fortier	122 N. Main St Concord	BIA
☐	John Frisbee	30 Park St Concord	NH Travel Council
☐	Charles Niebling	Concord	SPNHF
☑	Susan Arnold	Office of the Governor	Gov Shaheen
☑	Sen. Larsen		Dist 15
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SENATE SB 401 COMMITTEE

PUBLIC HEARING
ON

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CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☑	Brad Wyman	53 Wyman Road, Dummer 03588	SELF
☑	Susan Francher	PO Box 1856 Concord	Division of Forests & Lands
☐	Dorothy Taylor	54 Portsmouth Street Concord	NH Wildlife Federation
☐	Cathy Doyle	2½ Beacon St Concord	The Nature Conservancy
☐	Douglas Bechtel	2½ Beacon Concord	The Nature Conservancy
☐	Tom Abella	2½ Beacon St. Concord	The Nature Conservancy
☒	Gordon Barker	218 Portsmouth Ave, Stratham	Stratham Conservation Com.
☐	Krista Helmboldt	~~5155~~ 5155D East Deering Road	The Nature Conservancy Deering Good. Commission
☐	Kathy LaPlante	408 Grandview Rd, Pembroke	NH Main Street Center
☑	Harold Janeway	225 Tyler Rd Webster	The Nature Conservancy
☐	Glen Ohlund	14 Dixon Ave Concord NH Main St Center NH	NHMSC
☐	Brian Hart	PO Box 1566 Concord	Citizens for NHLCH
☐	Carl Paulsen	54 Portsmouth Street Concord	NH Rivers Council

APPEARING IN OPPOSITION: (Please Print)

CHECK IF YOU WISH TO SPEAK	NAME	ADDRESS	REPRESENTING
☐			
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SB 401

Speak? Appearing in support

✓ Camilla Lockwood 660 Fremont Rd Chester { Chester Con Com / " Pl Bd / NH Rivers Council

✓ Wayne E. Vetter (not attending) N.H. Fish & Game, Exec. Director

✓ Linda Wilson. NH Div. Historical Resources

X ✓ Marjory Swope NH Assn of Cons Comms

✓ ~~of~~ Clifton Below Dist 5

Testimony

OFFICE OF STATE PLANNING
STATE OF NEW HAMPSHIRE
2½ BEACON STREET – CONCORD 03301-4497
TELEPHONE: 603-271-2155
FAX: 603-271-1728

January 20, 2000

Honorable Richard L. Russman
Chairman
Senate Environment Committee
104 LOB
North State Street
Concord, NH 03301

Honorable Senator Russman:

The Office of State Planning strongly supports SB 401with the understanding that there are on-going discussions regarding the funding and wish to reserve final comment until this aspect has been resolved.

Additionally, we would support an amendment that provides for the retention of not-for-profits as funding recipients consistent with the original intent of the program. Section 227-M:7, III (c) and 227-M:7, VI are inconsistent in dealing with this important element.

As we evaluate planning and development practices throughout the state, it is evident that by encouraging sensible renovation of existing buildings and adaptive reuse these practices strengthen our community character, are economically sensible and can decrease the elements of sprawl. As we review the role of open space it is evident that this element of our landscape contributes to defining our quality of life, to the caliber of the tourists' experience and to environmental sustainability. Not-for-profits are key players as stewards of our New Hampshire landscape and cultural heritage and contributors to the above qualities that we cherish. This legislation should support them in those efforts.

Sincerely,

Jeffrey H. Taylor
Director
Office of State Planning

Committee Report

Date: 1/20/00 Time: 1:00pm

The Senate Committee on Environment held its hearing in Room LOB104, Concord, New Hampshire.

BILL NO.: SB401 TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

Members of the Committee present:

Senator Russman
Senator Cohen
Senator Below
Senator Eaton
Senator Johnson
Senator Krueger
Senator Pignatelli
Senator Wheeler

Those appearing in favor:

Name and Address	Representing
See Attached.	

Those appearing in opposition:

Name and Address	Representing
See Attached.	

REPORT OF THE COMMITTEE:

- ☐ Ought to Pass
- ☒ Ought to Pass w/ Amendment
- ☐ Interim Study
- ☐ Continued Hearing

☐ Inexpedient to Legislate

☐ Rereferred

☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: January 31,2000

THE COMMITTEE ON Environment

to which was referred Senate Bill 401-FN-A-L

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

VOTE: 7-0

2000-3238s

Having considered the same, report the same with the following amendment and recommend that the bill: **AS AMENDED OUGHT TO PASS.**

Senator Richard Russman
For the Committee