



**NH OFFICE OF PLANNING AND DEVELOPMENT (OPD)
SPRING 2026 PLANNING & ZONING CONFERENCE
SATURDAY, MAY 9, 2026**

ONLINE CONFERENCE DETAILED AGENDA

(ALL SESSIONS WILL BE RECORDED AND AVAILABLE ON [OPD'S YOUTUBE PAGE](#) FOLLOWING THE CONFERENCE)

ZONING BOARD OF ADJUSTMENT (ZBA) TRACK

8:45 – 9:00 AM **WELCOME AND INTRODUCTORY REMARKS**
Ken Gallager, Principal Planner, NH Office of Planning & Development

9:00 – 10:15 AM **ZBA DECISION MAKING PROCESS**
Cordell Johnston, Attorney at Law

All land use decisions involve someone’s constitutionally protected property rights. As a result, the ZBA’s decision-making process is just as important as the substantive law. This session will address zoning board processes, including the application process, public hearings, board deliberations, consideration of expert evidence, drafting and voting on motions, notices of decision, conditions of approval, motions for rehearing, the role of legal counsel, and appeals to the superior court or Housing Appeals Board.

10:15 – 10:30 AM **BREAK**

10:30 – 11:45 AM **THE ZBA IN NH**
Jason Dennis, Attorney, Hastings Law Office, P.A.

This session will provide a detailed look at the statutory responsibilities of the ZBA including appeals of administrative decisions, special exceptions, variances and equitable waivers. This session will also provide an in-depth discussion of how the case law interprets the five variance criteria.

11:45 AM – 12:45 PM **LUNCH BREAK**

**12:45 – 2:00 PM****ENFORCING FLOODPLAIN REGULATIONS AND CORRECTING VIOLATIONS**

Sarah Thunberg, Flood Ready ME Program Manager, ME Office of Community Affairs
Stephanie Frechette, Principal Planner, NH Office of Planning and Development

The National Flood Insurance Program (NFIP), created by Congress in 1968, is a federal program administered through the Federal Emergency Management Agency (FEMA) which established regulations for safe flood-informed development in floodplains, and provides flood insurance for any resident in a participating community. Participating communities of the NFIP are required to enforce local floodplain regulations and correct any violations whether they come from a local complaint or through notice from FEMA. This session will discuss FEMA's expectations for participating communities, what actions communities can take to exhaust all enforcement mechanisms, and common violations seen in New Hampshire.

2:00 – 2:15 PM**BREAK****2:15 - 3:30 PM****ZBA Q&A**

Steven M. Whitley, Attorney, DrummondWoodsum
Cordell Johnston, Attorney at Law

OPD Principal Planner Ken Gallagher will moderate this session with our ZBA track presenters. Be sure to bring your questions from the morning sessions as well as any other ZBA questions and situations you may have encountered. Our long-time conference partners Steven and Cordell will be available for everything ZBA in this roundtable format.