

APPENDIX B: PUBLIC NOTICES FOR SUBDIVISION AND SITE PLAN REVIEW

SUBMISSION OF APPLICATION (used only for submission - not public hearing)

Town of _____

LEGAL/PUBLIC NOTICE

Notice is hereby given in accordance with RSA 676:4 that an application for (subdivision/site plan review - description of application; name of applicant; location of property; tax map and lot number) will be submitted to the Planning Board on (date) at (time) at the _____ Town Hall during a regular meeting of the Board. Upon a finding by the Board that the application meets the submission requirements of the _____ (subdivision/site plan review regulations), the Board will vote to accept the application as complete and schedule a public hearing. Should the application not be accepted as complete, another submission meeting will be scheduled. Anyone needing assistance to attend this meeting should contact the Selectmen's Office one week prior to the scheduled date.

Per order of the _____ Planning Board
_____, Secretary/Clerk

SUBMISSION OF APPLICATION/PUBLIC HEARING ON PROPOSAL

Town of _____

LEGAL/PUBLIC NOTICE

Notice is hereby given in accordance with RSA 676:4 & 675:7 that an application for (subdivision/site plan review - description of application; name of applicant; location of property; tax map and lot number) will be submitted to the Planning Board on (date) at (time) at the _____ Town Hall during a regular meeting of the Board. Upon a finding by the Board that the application meets the submission requirements of the _____ (subdivision/site plan review regulations), the Board will vote to accept the application as complete, and a public hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved. Anyone needing assistance to attend this meeting should contact the Selectmen's Office one week prior to the scheduled date.

Per order of the _____ Planning Board
_____, Secretary/Clerk

APPENDIX B (con't)

PUBLIC HEARING ON PROPOSAL

Town of _____

LEGAL/PUBLIC NOTICE

Notice is hereby given in accordance with RSA 676:4 & 675:7 that the _____ Planning Board will hold a public hearing for (subdivision/site plan review - description of application; name of applicant; location of property; tax map and lot number) on (date) at (time) at the _____ Town Hall. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved. Anyone needing assistance to attend this meeting should contact the Selectmen's Office one week prior to the scheduled date.

Per order of the _____ Planning Board
_____, Secretary/Clerk

ABUTTER NOTICES FOR SUBDIVISION OR SITE PLAN REVIEW APPLICATION

Dear _____:

According to NH Revised Statutes Annotated 676:4, I (d) and the Town of _____ (subdivision/site plan review), it is required that all abutters to land intended for (subdivision/site plan review) be notified of the proposal.

You, as an abutter, are hereby notified that an application for (subdivision/site plan review - description of application; name of applicant; location of property; tax map and lot number) will be submitted to the Planning Board on (date) at (time) at the _____ Town Hall during a regular meeting of the Board. Upon a finding by the Board that the application meets the submission requirements of the _____ (subdivision/site plan review regulations), the Board will vote to accept the application as complete, and a public hearing on the merits of the proposal will follow immediately.

Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

Please be advised that, as an abutter, your right to testify is restricted to the public hearing. In the case of a public *meeting*, as opposed to a public *hearing*, you are allowed by right to be notified and be present, but you do not have the right to offer testimony except at the Planning Board's discretion.

If you are unable to attend the public hearing you are encouraged to visit town hall to review the plans and application during normal business hours. You may also submit any concerns or questions in writing before the meeting.

Please be advised this may be the only certified notice you will receive. You are encouraged to review future planning board agendas for the status of this application.

If you have any questions please contact the Planning and Land Use Department at _____.

Sincerely,
Planning Board Secretary/Clerk

APPENDIX B (con't)

APPLICANT NOTICE FOR SUBDIVISION OR SITE PLAN REVIEW

Dear _____:

According to NH Revised Statutes Annotated 676:4, I(d) and the Town of _____ (subdivision/site plan review regulations), it is required that all applicants for land development be sent notice of the public hearing at which their proposal will be submitted to the Board and reviewed.

You, as the applicant, are hereby notified that your application for (subdivision/site plan review - description of application; location of property; tax map and lot number) will be submitted to the Planning Board on (date) at (time) at the _____ Town Hall during a regular meeting of the Board. Upon a finding by the Board that the application meets the submission requirements of the _____ (subdivision/site plan review regulations), the Board will vote to accept the application as complete, and a public hearing on the merits of the proposal will follow immediately.

Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved. Should your application be disapproved, you will receive written notice from the Planning Board within 5 business days stating the reasons for such disapproval.

Sincerely,
Planning Board Secretary/Clerk

[Note: A separate notice to a surveyor, engineer, etc. is not necessary if the abutter notice is written to include them.]

APPENDIX B (con't)

APPLICATION FOR WAIVER OF SUBDIVISION/SITE PLAN REVIEW REQUIREMENT

(Complete one form for each waiver request.)

To the Chairman and Members of the _____ Planning Board:

On _____, 20____, I submitted a plan for (subdivision/site plan review) approval to the Board, entitled _____ prepared by _____ and hereby request a waiver from Article _____ Section _____ of the regulations.

In support of such request:

(1) Strict conformity would pose an unnecessary hardship and waiver would not be contrary to the spirit and intent of the regulations because: _____

_____;

_____; or

(2) Specific circumstances relative to the (subdivision/site plan review), or conditions of the land in such (subdivision/site plan review), indicate that the waiver will properly carry out the spirit and intent of the regulations because: _____

_____.

Respectfully submitted: _____ Date: _____

APPENDIX B (con't)

NOTICES OF PLANNING BOARD DECISION

(Once the Planning Board has held the public hearing and voted on the application, the final decision must be put in written form and placed on file in the Town offices and made available to the public within 5 business days. The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval. The Board is not required to notify the applicant individually except in the case of a denial, in which case the same time limit applies.)

NOTICE OF PLANNING BOARD APPROVAL

On _____, 20___, after duly-noticed public hearing(s), the Planning Board voted to **APPROVE** the Plan for (a 4-lot subdivision) submitted to the Board _____ for property located at (street address, tax map, lot number, and zoning district). Any conditions to which the plan is subject are listed below:

- 1. _____
- 2. _____
- 3. _____

_____, Planning Board Chair

NOTICE OF PLANNING BOARD DENIAL

On (date) after duly-noticed public hearing(s), the Planning Board voted to **DENY** the Plan for _____ submitted to the Board by _____ for property located at (street address, tax map, lot number, and zoning district). The application was denied for the following reasons:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

_____, Planning Board Chair

APPENDIX B (con't)

NOTICE OF PUBLIC HEARING TO REVOKE PLANNING BOARD APPROVAL

Town of _____

LEGAL/PUBLIC NOTICE

Notice is hereby given in accordance with RSA 676:4-a that the Planning Board will hold a public hearing on (date) at (time) at the _____ Town Hall for the purpose of considering whether to revoke a plan previously-approved on _____, 20__ and filed with the _____ County Register of Deeds. The Board is considering revocation for the reasons stated below. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

Per order of the _____ Planning Board
_____, Secretary/Clerk

DECLARATION OF REVOCATION

(Once the Board has voted to revoke a previously-approved plan, a declaration of revocation must be filed with the county register of deeds no sooner than 30 days after written notification to the applicant, or 30 days after the public hearing, whichever is later. The declaration must be recorded under the same name as that on the original approval, dated, endorsed in writing by the Planning Board, and contain reference to the recording information of the plan being revoked.)

Notice is hereby given that the _____ Planning Board voted on (date) to revoke the approval of (plan name) granted to (applicant name) on (date). The Plan was recorded in the _____ County Register of Deeds as Plan _____ and filed on (date). The approval was revoked for the following reasons:

Respectfully Submitted,

Planning Board Chair

APPENDIX B (con't)

ADOPTION OF AMENDMENTS TO SUBDIVISION OR SITE PLAN REVIEW REGULATIONS

Town of _____

NOTICE OF PUBLIC HEARING

Pursuant to RSA 675:6 & 7, the Planning Board will hold a public hearing on (date) (time) at the _____ Town Hall on a (proposed amendment or the adoption of the subdivision or site plan review) Regulation. The effect of the (proposed amendment or adoption) will be to:

(Insert a topical description of the proposed changes.)

A full copy of the text of the proposed amendment is available for review in the Town Clerk's office during regular business hours.

Per order of the _____ Planning Board
_____, Secretary/Clerk

ADOPTION OF AMENDMENTS TO THE MASTER PLAN

Town of _____

NOTICE OF PUBLIC HEARING

Pursuant to RSA 674:4 and 675:6, the Planning Board will hold a public hearing on (date) (time) at the _____ Town Hall on (a proposed amendment to or the adoption of) the Master Plan. The effect of the (proposed amendment or adoption) will be to:

(Insert a topical description of the proposed changes.)

A full copy of the text of the proposed (amendment or Master Plan) is available for review in the Town Clerk's office during regular business hours.

Per order of the _____ Planning Board
_____, Secretary/Clerk

[NOTE: For more examples of public notices, refer to *New Hampshire Practice - Land Use Planning and Zoning*, by Peter Loughlin.]

APPENDIX B (con't)

Creation and Authorization of the Capital; Improvements Program (CIP)

Sample Article Authorizing the Planning Board to Prepare a CIP

Article Number _____: To see if the Town, having a Master Plan adopted by the Planning Board on [date of adoption], will vote to authorize the Planning Board to prepare and amend a recommended program of municipal capital improvements projected over a period of at least 6 years, in accordance with RSA 674:5.

Sample Article Authorizing the Governing Body
to Appoint a Committee to Prepare a CIP

Article Number _____: To see if the Town, having a Master Plan adopted by the Planning Board on [date of adoption], will vote to authorize the governing body to appoint a capital improvements program committee to prepare and amend a recommended program of municipal capital improvements projected over a period of at least 6 years, in accordance with RSA 674:5.