

APPENDIX E: CRITERIA FOR DETERMINING REGIONAL IMPACT

Land use board responsibilities relative to developments of regional impact are laid out in RSA 36:54-58. The statutes give a basic definition of what may constitute a regional impact. Boards may wish to establish more specific guidelines or criteria for making such determinations.

Generally, impact criteria shall include, but not be limited to, the items below. These shall in no way be considered exhaustive, but rather guidelines for the Board to follow in making a determination of impact on a neighboring municipality.

1. Residential Development: Proposals for lots or dwellings that would increase the existing housing stock of the town by more than 25% or specify the number of dwelling units within a certain time frame. i.e. 25 houses within 5 years.
2. Commercial Development: Proposals for new or expanded space of 50,000 square feet or greater.
3. Industrial Development: Proposals for new or expanded space of 100,000 square feet or greater.
4. Shared facilities such as schools and solid waste disposal facilities including a solid waste landfill requiring a department of environmental service permit under the department of environmental services administrative rules contained in Env-Sw 800.5.

Other factors to be considered:

- a. Proximity to other municipal boundaries.
- b. Traffic impacts on the regional road network.
- c. Potential effect on groundwater, surface water and wetlands that transcend municipal boundaries.
- d. The potential to disturb or destroy a significant or important natural environment or habitat.
- e. The necessity for shared public facilities such as schools or solid waste disposal.
- f. Anticipated emissions such as light, noise, smoke, odors, or particulates.
- g. The potential for accidents that would require evacuation of a large area.
- h. The generation and/or use of any hazardous materials.
- i. Any other factor considered important to the board and the community.

NOTE: Some Regional Planning Commissions in New Hampshire have developed regional impact guidelines, with help and input from communities in their region. Contact NH OPD or your Regional Planning Commission for more information.

Practice Pointer: The RSAs REQUIRE planning boards to declare an application as a development of regional impact when there is doubt on whether the application should be designated as a development of regional impact. "When in doubt-don't!" Meaning if the board is not sure to declare a development of regional impact, declare it and review application and materials with the municipal attorney.