



XIV. NEW BUSINESS/PUBLIC HEARINGS

- A. Frost Lot Line Relocation Plan                      145, 149, 153 Wason Road  
SB #02-14    Map 200/Lots 32, 33 & 34

Purpose of Plan: To adjust the lot lines between lots 32, 33 & 34, making a 1 acre house lot (Lot 33), a 10.119 acre lot (34), and a 6.75 acre lot (Lot 32). Application Acceptance & Hearing.

XV. OTHER BUSINESS

- A. Discussion of the Cost Allocation Procedure (CAP) Fee Assessment Update Report, prepared by VHB, Inc. Deferred Date Specific from the 02-26-14 Planning Board Meeting.
- B. Discuss Capital Improvements Program (CIP) for Fiscal Year 2016. Deferred Date Specific from the 02-26-14 Planning Board Meeting.

XVI. ADJOURNMENT

All plans and applications are available for review in the Planning Office. Comments may be submitted in writing until 10:00 a.m. on the Tuesday prior to the day of the meeting.

The public is invited to attend.

\_\_\_\_\_  
John M. Cashell  
Town Planner

POSTED: Town Hall, Library, Post Office – 03-07-14

# Land of Matarazzo Hudson Associates, Inc.

## ZBA Input Only

Staff Report

March 26, 2014

**SITE:** 4 Bockes Road -- Map 144/Lot 021 -- ZI# 01-14

**ZONING:** R-2 - Minimum Lot Size Without Town Water & Sewer Single-Family Dwelling 43,560 sf. Duplex 60,000 sf Minimum Frontage 120 ft.

**PURPOSE OF PLAN:** Wetland buffer impact for the placement of the proposed drainage facilities and fill slopes for the proposed subdivision of 4 Bockes Road. The temporary buffer impact is 2,850 sf, and the permanent buffer impact is 36,900 sf.

**PLAN UNDER REVIEW ENTITLED:** Wetland Buffer Impact Plan, Land of Matarazzo Hudson Associates, Inc., Map 144, Lot 21, Bockes Road, Hudson, NH, prepared by Keach-Nordstrom Associates, Inc., dated: Nov. 1, 2013 (no revision date), consisting of Sheets 1 & 2 and Notes 1 – 10, a Conventional Subdivision Yield Plan, consisting of Sheets 1 & 2, and an Open Space Subdivision Plan, consisting of Sheet 1 of 1 (said plans are attached hereto).

**APPLICANT REPRESENTATIVE:** Tony Basso, Keach –Nordstrom Associates, Inc.

### ATTACHMENTS:

- Motion to Recommend Wetlands Special Exception by the Conservation Commission, dated Jan. 13, 2014 – “A”.

### OUTSTANDING ISSUES:

At the initial hearing held on Feb. 26<sup>th</sup>, the board voted to defer this ZBA Input Only Application date specific to the March 26, 2014 meeting, with the following stipulation:

The Applicant shall submit a Conventional Subdivision Yield Plan and an OSD Subdivision Plan, and for both plans to include Hall Charts and the lot size and frontage inscribed on each individual lot.

**Status:** the aforementioned requested information has been provided, i.e., except the OSD Plan only includes the individual lot information in the Hall Chart, which is provided in the bottom left corner of this Plan. Please refer to the attached Conventional Subdivision Yield Plan, Sheets 1 & 2 and the Open Space Subdivision Plan Sheet 1 of 1.

**RECOMMENDATION:** staff recommends for the board to review this application for what it is:, i.e.:

- 1) It's a Wetland Special Exception application, filed with the ZBA, which pertains to proposed stormwater treatment and control facilities that, if constructed, will have a beneficial effect on the abutting wetlands, as determined by the Town of Hudson Conservation Commission (see attached recommendation “A”). On the other hand, one could argue that the proposed wetland impacts could possibly be eliminated if the lot yield density was reduced by, perhaps, one or two lots.

**NOTE:** said wetland impacts are specifically described on the application as follows: Wetland buffer impact for the placement of the proposed drainage facilities and fill slopes for the proposed subdivision

of 4 Bockes Road. The temporary buffer impact is 2,850 sf, and the permanent buffer impact is 36,900 sf.

- 2) With the above-cited lot data submitted, per the Planning Board's request at the Feb. 26th meeting, it appears that the required information has been accurately provide to the point, wherein, the board can take action on this ZBA Input Only application. Such action is prescribed in the form of two distinct DRAFT MOTIONS for the board's consideration.

**DRAFT MOTIONS:**

- 1) I move for the Planning Board to forward the following input to the ZBA, relative to the Wetland Special Exception application, which calls for wetland buffer impacts associated with the placement of proposed drainage facilities and fill slopes within the two proposed subdivisions off 4 Bockes Road and York Road, Map 144/Lot 021:

After reviewing the plans and application materials, the board has no concerns with the proposed wetland buffer impacts, for the two proposed subdivisions appear to comply with the minimum lot size and frontage requirements for new dwelling lots in the R-2 Zoning District, with comments pertaining to specific waivers and other subdivision details (e.g. road construction standards, utility installation, and landscaping, etc.) reserved for Subdivision Review. That is, following the submission of the OSD and Conventional Subdivision Plan Applications with the Planning Board.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

**NOTE:** the subject Plan is entitled: Wetland Buffer Impact Plan, Land of Matarrazzo Hudson Associates, Inc., Map 144, Lot 21, Bockes Road, Hudson, NH, prepared by Keach-Nordstrom Associates, Inc., dated: Nov. 1, 2013 (no revision date), consisting of Sheets 1 & 2 and Notes 1 – 10, a Conventional Subdivision Yield Plan, consisting of Sheets 1 & 2, and an Open Space Subdivision Plan, consisting of Sheet 1 of 1:

- 2) I move for the Planning Board to forward the following input to the ZBA, relative to the Wetland Special Exception application, which calls for wetland buffer impacts associated with the placement of proposed drainage facilities and fill slopes within the two proposed subdivisions off 4 Bockes Road and York Road, Map 144/Lot 021:

The proposed wetland impacts could possibly be avoided if the lot yield density was reduced by, perhaps, one or two lots.

**NOTE:** the subject Plan is entitled: Wetland Buffer Impact Plan, Land of Matarrazzo Hudson Associates, Inc., Map 144, Lot 21, Bockes Road, Hudson, NH, prepared by Keach-Nordstrom Associates, Inc., dated: Nov. 1, 2013 (no revision date), consisting of Sheets 1 & 2 and Notes 1 – 10, a Conventional Subdivision Yield Plan, consisting of Sheets 1 & 2, and an Open Space Subdivision Plan, consisting of Sheet 1 of 1.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

# Review 90 Gowing Road Preliminary Conceptual OSD Subdivision Plan “B”

## Staff Report

March 26, 2014

**SITE:** 90 Gowing Road -- Map 231/Lot 053

**ZONING:** Residential-Two (R-2) – Minimum Lot Size w/out sewer and water 60,000 sf for a duplex and 43,560 sf (1 acre) for a single-family dwelling and 150 ft. of frontage.

**PURPOSE OF PETITION:** to present an 16-Lot Preliminary Conceptual Open Space Development (OSD) Subdivision Plan for a 35.6 acre parcel located at 90 Gowing Road, Map 231/Lot 053. **Preliminary Review Only.**

**PLANS UNDER REVIEW ENTITLED:** Preliminary Subdivision Plan B Open Space Development “Wojcik Property” Gowing Road, Hudson, New Hampshire, Map 231/Lot 053, prepared by Meisner Brem Corporation, 51 Main St., Salem, NH, dated March 10, 2014 (no revisions), consisting of Sheet 1 of 1 and Notes 1 – 4 (said plan attached hereto).

**ATTACHMENTS:** N/A.

### OUTSTANDING ISSUES/ STAFF COMMENTS:

1. With this proposal still in the Preliminary Conceptual Review stage, the HFD has not yet weighed-in on the emergency services requirements for this OSD Subdivision. Suffice to say, at this point in time, sufficient cistern capacity will be required, together with sufficient road width and turnaround capacity. That is, if, in fact, the HFD will support the proposed 1,331 ft. street extension off a cul-de-sac street (Gowing Rd.), which already exceeds the 1000 ft. length allowed within the Planning Board’s Land Use Regulations.
2. Resulting from the Jan. 8, 2014 Preliminary Conceptual Review of this OSD Subdivision, the Applicant has specified, via the attached Preliminary Conceptual OSD Plan, that this development will consist of 16 single-family dwellings only (i.e., no longer 19-lots) and the proposed road will consist of 1 cul-de-sac, rather than 2.
3. The attached Plan includes the following typo: Open Space Parcel C, located on the southside of the proposed road, states that it is 11.48 acres; this parcel should read 0.6 acres. At the meeting, the Applicant’s engineer will address this as a typo.

NOTE: in preparation for submitting formal OSD Subdivision Plans for this property, staff informed the project engineer, Jeffery Brem, that the open space requirements must be established in accordance with §334-53. – Open Space Requirements - Hudson Zoning Ordinance, which reads in its entirety, as follows:

### **§ 334-53. Open space requirements.**

The minimum open space requirement of § 334-50 may be provided through common land or individually owned land placed in permanent conservation or recreational easements or by other land use restrictions.

The OSD shall comply with the following conditions:

- A. Only undeveloped land, landscaped green space or recreational areas may be included in the calculation of minimum open space requirement. Setback areas along the perimeter of the subdivision may not be included in the open space calculations.
- B. Roadways, driveways, rights-of-way, utility easements, parking areas and other developed areas, except for recreational paths, trails or facilities, may not be included as part of minimum open space requirements.
- C. Wetland(s), road rights-of-way, and slopes in excess of 25%, shall not be considered in the calculation of total lot area. The one-hundred-year floodplain areas shall not exceed 25% of the total land area of the OSD. [Amended 3-9-1999; 3-12-2002 by Amdt. No. 8]
- D. Whenever possible, lots or dwelling units should be arranged to abut or have direct access to common open space or recreational land.
- E. Lots and open space should be arranged to preserve and protect prominent natural features, historic or archaeological resources, scenic vistas, surface water bodies and streams and other important natural and man-made landscape features.
- F. The deed for each building lot shall contain an undivided proportional share of all common open space, except as provided for in § 334-54.

NOTE: the best way to present the above-cited open space requirements is for the Applicant to present a separate Hall Chart, which accurately establishes the minimum open space requirements in accordance with § 334-53.

**RECOMMENDATION:** With this present application being a Preliminary Conceptual Open Space Plan Review Only, after the applicant's presentation at the hearing, perhaps, addressing each of the above-cited outstanding issues, answering questions from the board and audience members, the applicant will most likely seek a consensus opinion of the board, i.e., whether members favor or oppose this proposal. After receiving a consensus (i.e., if the board chooses to provide such), the applicant will be able to determine the next step: i.e., to prepare submission of a Definitive OSD application for this project. Note: again, as provided by the below-cited RSA 676:4, with this being a Preliminary Conceptual Plan Review Only, no official action is required by the board.

### **APPLICATION TRACKING:**

- 11/05/2013 – Preliminary Conceptual Plan Review Application submitted.
- 11/13/2013 - Initial Preliminary Conceptual Plan Review Hearing.
- 01/08/2014 - Second Preliminary Conceptual Plan Review Hearing.
- 03/26/1014 – Third Preliminary Conceptual Review Hearing.

DRAFT MOTION: N/A because Preliminary Conceptual Review is nonbinding.

## Planning Board

### Section 676:4

#### 676:4 Board's Procedures on Plats. –

II. A planning board may provide for preliminary review of applications and plats by specific regulations subject to the following:

(a) **Preliminary conceptual consultation phase. The regulations shall define the limits of preliminary conceptual consultation which shall be directed at review of the basic concept of the proposal and suggestions which might be of assistance in resolving problems with meeting requirements during final consideration. Such consultation shall not bind either the applicant or the board and statements made by planning board members shall not be the basis for disqualifying said members or invalidating any action taken. The board and the applicant may discuss proposals in conceptual form only and in general terms such as desirability of types of development and proposals under the master plan. Such discussion may occur without the necessity of giving formal public notice as required under subparagraph I(d), but such discussions may occur only at formal meetings of the board.**

(b) Design review phase. The board or its designee may engage in nonbinding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details; provided, however, that the design review phase may proceed only after identification of and notice to abutters, holders of conservation, preservation, or agricultural preservation restrictions, and the general public as required by subparagraph I(d). The board may establish reasonable rules of procedure relating to the design review process, including submission requirements. At a public meeting, the board may determine that the design review process of an application has ended and shall inform the applicant in writing within 10 days of such determination. Statements made by planning board members shall not be the basis for disqualifying said members or invalidating any action taken.

(c) Preliminary review shall be separate and apart from formal consideration under paragraph I, and the time limits for acting under subparagraph I(c) shall not apply until formal application is submitted under subparagraph I(b).

III. A planning board may, by adopting regulations, provide for an expedited review and approval for proposals involving minor subdivisions which create not more than 3 lots for building development purposes or for proposals which do not involve creation of lots for building development purposes. Such expedited review may allow submission and approval at one or more board meetings, but no application may be approved without the full notice to the abutters, holders of conservation, preservation, or agricultural preservation restrictions, and public required under subparagraph I(d). A hearing, with notice as provided in subparagraph I(d), shall be held if requested by the applicant, abutters, or holders of conservation, preservation, or agricultural preservation restrictions any time prior to approval or disapproval or if the planning board determines to hold a hearing.

IV. Jurisdiction of the courts to review procedural aspects of planning board decisions and actions shall be limited to consideration of compliance with applicable provisions of the constitution, statutes and regulations. The procedural requirements specified in this section are intended to provide fair and reasonable treatment for all parties and persons. The planning board's procedures shall not be subjected to strict scrutiny for technical compliance. Procedural defects shall result in the reversal of a planning board's actions by judicial action only when such defects create serious impairment of opportunity for notice and participation.

# **Frost Lot Line Relocation Plan (LLR)**

## **Staff Report**

March 26, 2014

**SITE:** 145, 149, 153 Wason Road - Map 200/Lots 32, 33 & 34 - SB #02-14

**ZONING:** General (G) Zoning District Min. Lot Size 1 acre (43,560 sf) and 200 ft. of Street Frontage.

**PURPOSE OF PLAN:** to adjust the lot lines between lots 32, 33 & 34, making 1 acre house lot (Lot 33), a 10.119 acre lot (34), and a 6.75 acre lot (Lot 32). Application Acceptance & Hearing.

**PLAN UNDER REVIEW ENTITLED:** "Frost Lot Line Relocation Plan Map 200 Lots 32, 33 & 34, 149 Wason Road, Hudson, NH 03051, prepared by M.J. Grainger Engineering, Inc. 220 Derry Road, Hudson, NH 03051 dated: Dec. 12, 2013, no revision date, consisting of Sheets 1 & 2 and Notes 1 – 16 (said plan is attached hereto).

### **ATTACHMENTS:**

- 1) Lot Line Relocation Plan application, date stamped 02/25/14 - Attachment "A".
- 2) Comment Reports from Zoning, Assessing, Highway and Fire – "B".

### **REQUESTED WAIVER:**

- HTC 289 – 26(B)5 – Topographic Plan

### **APPLICATION TRACKING:**

1. 02/25/14 - Application submitted.
2. 03/26/14 - Public Hearing scheduled.

### **OUTSTANDING ISSUES & RECOMMENDED ACTION:**

1. The proposed LLR Plans shows 3 new lot areas that comply with minimum lot requirements for the G Zoning District, as cite above and as indicated on the Plan, which also includes a Hall Chart on the lower right quadrant of Sheet 1 of 2.
2. The attached Plans include a NH LLS Stamp & Signature, that of Michael Grainger. Sheet 2 of 2 shows all of the abutting lots and their features within 200 ft. of the subject 3 lots. Please note, proposed Lot 33 has an existing house, and the owner of all 3 lots shown on the Plan, with the approval of this plan, will be able to deed over to his daughter, who already lives in said existing house with her family, this separate lot, while preserving the rest of his property for future plans. Note: as cited in Notes 14 and 15 on the attached Plans, at this time no new construction is planned for the 3 lots and no change in the existing driveway on Lot 33 is contemplated.

With no other issues involved with this application, staff recommends for its acceptance at the meeting and for the board to consider its approval, per the below DRAFT MOTIONS.

### **DRAFT MOTIONS:**



I move to accept the LLR Plan application for 145, 149, 153 Wason Road, Map 200/Lots 32, 33 & 34.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

**REQUESTED WAIVER:**

- HTC 289 – 26(B)5 – Topographic Plan

I move to grant the requested waiver - HTC 289 – 26(B)5 – Topographic Plan - because no construction activities are planned with this application, and as such, the need to provide topographic detail of the subject land area is not required, hence, the granting of this waiver is not contrary to the spirit and intent of the Site Plan regulations.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

**MOTION TO APPROVE:**

I move to approve the Lot Line Relocation Plan entitled: Frost Lot Line Relocation Plan Map 200 Lots 32, 33 & 34, 149 Wason Road, Hudson, NH 03051, prepared by M.J. Grainger Engineering, Inc. 220 Derry Road, Hudson, NH 03051 dated: Dec. 12, 2013, no revision date, consisting of Sheets 1 & 2 and Notes 1 – 16, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Decision of Approval, which shall be recorded at the HCRD, together with the Plan.
2. All monumentation shall be set or bonded prior to the Planning Board endorsing the Plan-of-Record.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

# Cost Allocation Procedure (CAP) Fee Assessment Update Report

Staff Report  
March 26, 2014

This item was deferred date specific from the Feb. 26, 2014 meeting, with the following action taken by the board, as described in the below minutes of said meeting.

## **DRAFT MINUTES OF THE FEB. 26, 2014 PLANNING BOARD MEETING**

### **XVI. OTHER BUSINESS**

A. Discussion on the Cost Allocation Procedure (CAP) Fee Assessment Update Report, prepared by VHB, Inc. Deferred Date Specific from the 01-22-14 Planning Board Meeting.

Mr. Della-Monica suggested drawing the line along Route 111 and Central Street to Route 3A (Lowell Road) and then south on River Road, dividing the town into two nearly equal zones, saying most projects could use money from either side. He then moved that as a motion. Ms. McGrath seconded the motion for the purpose of discussion.

Mr. Russo said the logic he was hearing was that money from development on the line could go to either side. Mr. Hall said those were the roads that would need improvement more than anything else. Mr. Russo asked if this would be agreeable to the Board of Selectmen.

**VOTE:** Chairman van der Veen called for a verbal vote on the motion. All members voted in favor, and Chairman van der Veen declared the motion to have carried unanimously (7-0).

**NOTE:** in addition to the above action, Selectman Maddox requested staff to receive input from Marty Kennedy regarding the above action. If Marty was in agreement with same, Mr. Maddox requested that Marty prepare a zonal map of the new districts (i.e., separating the 2 zonal districts along the centerline of Rte. 111 (Central St.) to that of Rte. 3A (Lowell Rd.) and then to the state line, running down the centerline of Rte. 3A (River Rd.). To this effect, below is Marty Kennedy's response, together with a copy of the map he prepared in accordance with the board's action.

John,

Attached is the revised zone map reflecting the Planning Board's adopted motion of February 26<sup>th</sup>. As you know, we had originally proposed two zones that separated what I referred to as the more urban western area from the more suburban eastern and southern areas. As I understand the Board's thinking for dividing the two zones along the center of Routes 111 and 3A is that new development throughout the entire town contributes to the need for roadway upgrades along these two major corridors. This way, upgrades to these two corridors can receive contributions from both zones while upgrades to off-corridor roadways that are within one of the zones will receive contributions from the specific zone where the development resides. If that is the rationale, I believe that is an acceptable approach. **Martin F. Kennedy, P.E.**



**ATTACHMENTS:**

- 1) Town Counsel letter, dated December 4, 2013, re: Proposed Impact Fee Modifications – “A”.
- 2) The VHB Report entitled: (DRAFT) Town of Hudson, New Hampshire Traffic Impact Fee System, dated Nov. 2013 – “B”.

In addition to the above (and as discussed at previous meetings on the Impact Fee Modifications), now that the above-cited outstanding issue has been resolved, the next step is to move in the direction of having the Highway Safety Committee develop a priority list of roadway improvement projects, exclusive to capacity enhancement, throughout Hudson, and then have the BOS support the projects. After these steps are achieved, then the board will be in a position to conduct the necessary public hearing, as advised by Town Counsel in the last sentence of his attached two-page letter to the board, dated Dec. 4, 2013.

**DRAFT MOTION:**

I move for the Planning Board to request the Highway Safety Committee to review both the Town Counsel letter, dated December 4, 2013, re: Proposed Impact Fee Modifications and the VHB Report entitled: (DRAFT) Town of Hudson, New Hampshire Traffic Impact Fee System, dated Nov. 2013, and then devise a list of roadway improvement projects throughout Hudson and exclusive to capacity enhancement, and further, for the Highway Safety Committee to provide said list to the Planning Board for review. Note: upon favorable review of the subject list of improvement projects, the Planning Board shall forward its findings on same to the BOS, relative to receiving their support to implement the projects.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_.

NOTE: After the above action is taken, as describe in the above DARFT MOTION, the board would then be in a position to conduct the public hearing to adopt the new impact fee system prepared by Marty Kennedy.

# Update on the Capital Improvements Program (CIP) for FY2016

## Staff Report

March 26, 2014

- 1) Notice has been properly advertised for a town citizen to serve of the CIC.

**Status:** Per board action at the Feb. 26, 2014 meeting, Hudson resident and ZBA member, Norman Martin, has been appointed “citizen representative” on the CIC.

- 2) The Board of Selectmen and the Budget Committee have been requested to ask for a volunteer from each body to serve on the CIC, as cited in RSA 674:5, which, in part, states: the CIC “... shall include at least one member of the planning board **and may include but not be limited to other members of the planning board, the budget committee, or the town or city governing body....**”

**Status:** although requested in writing by staff, neither the BOS or Budget Committee have yet to notify staff of their designated member to sit on the CIC.

- 3) In accordance with RSA 674:7, all municipal departments, boards, commissions, municipal-oriented groups and the School District, were requested, in writing, to submit their respective CIP projects to the CIC by March 28, 2014. Also, in accordance with the locally adopted CIP process, said bodies were requested to first submit their CIP proposals to the Board of Selectmen for their review and authorization to proceed with their respective proposals to the CIC.

**Status:** as of this writing, staff expects the Police and Fire Departments and Land Use Division to submit CIP proposals. Please note, the deadline for submitting proposals is March 28<sup>th</sup>, with the caveat being, that if a department needs more time to submit their proposals, staff will provide as much time as possible to work with the respective department relative to submitting their proposal(s) for CIC review and ranking.

- 4) The tentative CIC schedule for completing the FY2016 CIP is as follows:

# TOWN OF HUDSON

## FY2016 CAPITAL IMPROVEMENTS COMMITTEE (CIC) SCHEDULE

<u>DATE</u>	<u>EVENT</u>
Friday, March 28, 2014	FY2016 Capital Improvement Program (CIP) submittals due.
<u>Monday April 14, 2014</u>	CIC Organizational Session, Community Development, Library, Recreation Department
<u>Monday April 28, 2014</u>	School, Police Department, and Fire Department
<u>Monday May 5, 2014</u>	Highway Department, Conservation Commission, Board of Selectmen Public Proposals, Benson's Committee. CIC Assigns Priorities and Ranks Projects & Develops Annualized Capital Project Schedule and Cost.
June 25, 2014	Publish draft CIP for Departmental and Public comment.
June 25, 2014	Public Hearing and Planning Board votes on the CIP.
August 13, 2014	Distribute final CIP to Board of Selectmen, Budget Committee, CIC and Planning Board.

Meetings begin at 7:00 PM and are held in the Community Development Meeting Room. Underlined dates are when the CIC meets with Town departments.

Please refer to New Hampshire RSA's 674:5 - 8 and the Capital Improvement Program Process Description for additional information on the statutory provisions regarding the preparation and distribution of the CIP, and the CIP's relation to municipal infrastructure planning through the annual community budget process. If you have any questions or concerns regarding the contents of the above information, please feel free to contact me.

## Section 674:5

**674:5 Authorization.** – In a municipality where the planning board has adopted a master plan, the local legislative body may authorize the planning board to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years. As an alternative, the legislative body may authorize the governing body of a municipality to appoint a capital improvement program committee, which shall include at least one member of the planning board and may include but not be limited to other members of the planning board, the budget committee, or the town or city governing body, to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years. The capital improvements program may encompass major projects being currently undertaken or future projects to be undertaken with federal, state, county and other public funds. The sole purpose and effect of the capital improvements program shall be to aid the mayor or selectmen and the budget committee in their consideration of the annual budget.

**Source.** 1983, 447:1. 2002, 90:1, eff. July 2, 2002.

## Section 674:6

**674:6 Purpose and Description.** – The capital improvements program shall classify projects according to the urgency and need for realization and shall recommend a time sequence for their implementation. The program may also contain the estimated cost of each project and indicate probable operating and maintenance costs and probable revenues, if any, as well as existing sources of funds or the need for additional sources of funds for the implementation and operation of each project. The program shall be based on information submitted by the departments and agencies of the municipality and shall take into account public facility needs indicated by the prospective development shown in the master plan of the municipality or as permitted by other municipal land use controls.

**Source.** 1983, 447:1, eff. Jan. 1, 1984.

## Section 674:7

### 674:7

### Preparation.

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I. In preparing the capital improvements program, the planning board or the capital improvement program committee shall confer, in a manner deemed appropriate by the board or the committee, with the mayor or the board of selectmen, or the chief fiscal officer, the budget committee, other municipal officials and agencies, the school board or boards, and shall review the recommendations of the master plan in relation to the proposed capital improvements program.

II. Whenever the planning board or the capital improvement program committee is authorized and directed to prepare a capital improvements program, every municipal department, authority or agency, and every affected school district board, department or agency, shall, upon request of the planning board or the capital improvement program committee, transmit to the board or committee a statement of all capital projects it proposes to undertake during the term of the program. The planning board or the capital improvement program committee shall study each proposed capital project, and shall advise and make recommendations to the department, authority, agency, or school district board, department or agency, concerning the relation of its project to the capital improvements program being prepared.

**Source.** 1983, 447:1. 1995, 43:1. 2002, 90:2, eff. July 2, 2002.

## Section 674:8

**674:8 Consideration by Mayor and Budget Committee.** – Whenever the planning board or the capital improvement program committee has prepared a capital improvements program under RSA 674:7, it shall submit its recommendations for the current year to the mayor or selectmen and the budget committee, if one exists, for consideration as part of the annual budget.

**Source.** 1983, 447:1. 2002, 90:3, eff. July 2, 2002.