

REGULATION AMENDMENT PROPOSAL

§276-ADMINISTRATIVE REQUIREMENTS & DEFINITIONS

STAFF REPORT

August 23, 2023

SUBJECT: Expiration of Subdivision & Site Plan Approvals

PURPOSE: To revise §276-11.B(5), the required language of the statement on plans, to be consistent with other regulations and RSA 674:36.

REASON:

- In accordance with RSA 674:39, that once specified a one-year term to achieve active and substantial development, was changed to two years by SB 144 Chapter 215 during the 2011 legislative session.
- Other sections of the regulations related to plan validity were appropriately revised in 2019 [§275-13, §276-9, and §276-11.B(4)]. One regulation, §276-11.B(5), was omitted creating a conflict with the other regulations and state law.

PROPOSAL:

First, § 276-11.1 (4)(a) correctly states:

A minimum two-inch-by-six-inch approval block containing the statement "Approved by the Hudson, NH PLANNING BOARD," one line with the words "Date of Meeting: _____," and two lines for the signatures of the PLANNING BOARD Chairman and Secretary. The signature line shall provide space for the signature, follow with the words, "Signature Date: _____." The following sentences shall be included within the approval block: "Site PLANS are valid for two years from the date of PLANNING BOARD meeting final approval. Final approval commences at the PLANNING BOARD meeting date at which the PLAN receives final approval."

However, the subject of this discussion, § 276-11.1 (5), currently states:

A Two-inch-by-one-and-one-half-inch approximate space adjacent to the approval block containing the following statement: "Pursuant to the site review regulations of the Hudson PLANNING BOARD, the SITE PLAN approval granted herein expires one year from date of approval."

Staff recommends that the Planning Board either:

1. Revise the language to correctly state that approvals expire two years from date of approval, or;

- 2. Remove the regulation entirely because it is redundant. The same statement is already required to be within the approval block under § 276-11.1 (4).

RESULT:

Text to be added appears in *bold italics*.

Text to be removed from the regulations appears [~~in brackets and struckthrough~~].

Option 1 to revise to state two years:

§ 276-11.1 General Plan Requirements.

- (5) A Two-inch-by-one-and-one-half-inch approximate space adjacent to the approval block containing the following statement: "Pursuant to the site review regulations of the Hudson PLANNING BOARD, the SITE PLAN approval granted herein expires [~~one year~~] *two years* from date of approval."

Option 2 to delete:

§ 276-11.1 General Plan Requirements.

- (5) [~~A Two inch by one and one half inch approximate space adjacent to the approval block containing the following statement: "Pursuant to the site review regulations of the Hudson PLANNING BOARD, the SITE PLAN approval granted herein expires one year from date of approval."~~] *Reserved.*

DRAFT MOTIONS

I move to schedule a public hearing on September 13, 2019, for an amendment regarding plan validity in accordance with RSA 674:39 to [choose: delete or revise] §276-11.1.B(5) of the Hudson Land Use Regulations.

Motion: _____ Second: _____ Carried/Failed: _____.