

**PLANNING BOARD
COMPLETED APPLICATIONS**

RSA 676:4

TITLE LXIV PLANNING AND ZONING CHAPTER 676 ADMINISTRATIVE AND ENFORCEMENT PROCEDURES Planning Board

Section 676:4

676:4 Board's Procedures on Plans. -

I. The procedures to be followed by the planning board when considering or acting upon a plat or application submitted to it for approval under this title shall be as set forth in the board's subdivision regulations, subject to the following requirements:

(a) An application for approval filed with the planning board under this title, other than an application for subdivision approval, shall be subject to the minimum requirements set forth in this section and shall be governed by the procedures set forth in the subdivision regulations, unless the planning board by regulation specifies other procedures for that type of application.

(b) The planning board shall specify by regulation what constitutes a completed application sufficient to invoke jurisdiction to obtain approval. A completed application means that sufficient information is included or submitted to allow the board to proceed with consideration and to make an informed decision. A completed application sufficient to invoke jurisdiction of the board shall be submitted to and accepted by the board only at a public meeting of the board, with notice as provided in subparagraph (d). An application shall not be considered incomplete solely because it is dependent upon the submission of an application to or the issuance of permits or approvals from other state or federal governmental bodies; however, the planning board may condition approval upon the receipt of such permits or approvals in accordance with subparagraph (i). The applicant shall file the application with the board or its agent at least 21 days prior to the meeting at which the application will be accepted, provided that the planning board may specify a shorter period of time in its rules of procedure. The application shall include the names and addresses of the applicant, all holders of conservation, preservation, or agricultural preservation restrictions as defined in RSA 477:45, and all abutters as indicated in the town records for incorporated towns or county records for unincorporated towns or unorganized places not more than 5 days before the day of filing. Abutters shall also be identified on any plat submitted to the board. The application shall also include the name and business address of every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board.

(c)(1) The board shall, at the next regular meeting or within 30 days following the delivery of the application, for which notice can be given in accordance with the requirements of subparagraph (b), determine if a submitted application is complete according to the board's regulation and shall vote upon its acceptance. Upon determination by the board that a submitted application is incomplete according to the board's regulations, the board shall notify the applicant of the determination in accordance with RSA 676:3, which shall describe the information, procedure, or other requirement necessary for the application to be complete. Upon determination by the board that a submitted application is complete according to the board's regulations, the board shall begin formal consideration and shall act to

approve, conditionally approve as provided in subparagraph (i), or disapprove within 65 days, subject to extension or waiver as provided in subparagraph (f). Upon failure of the board to approve, conditionally approve, or disapprove the application, the selectmen or city council shall, upon request of the applicant, immediately issue an order directing the board to act on the application within 30 days. If the planning board does not act on the application within that 30-day time period, then within 40 days of the issuance of the order, the selectmen or city council shall certify on the applicant's application that the plan is approved pursuant to this paragraph, unless within those 40 days the selectmen or city council has identified in writing some specific subdivision regulation or zoning or other ordinance provision with which the application does not comply. Such a certification, citing this paragraph, shall constitute final approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court review under RSA 677:15.

(2) Failure of the selectmen or city council to issue an order to the planning board under subparagraph (1), or to certify approval of the plat upon the planning board's failure to comply with the order, shall constitute grounds for the superior court, upon petition of the applicant, to issue an order approving the application if the court determines that the proposal complies with existing subdivision regulations and zoning or other ordinances. If the court determines that the failure of the selectmen or the city council to act was not justified, the court may order the municipality to pay the applicant's reasonable costs, including attorney's fees, incurred in securing such order.

(d)(1) Notice to the applicant, holders of conservation, preservation, or agricultural preservation restrictions, abutters, and the public shall be given as follows: The planning board shall notify the abutters, the applicant, holders of conservation, preservation, or agricultural preservation restrictions, and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board by verified mail, as defined in RSA 21:53, of the date upon which the application will be formally submitted to the board. Notice shall be mailed at least 10 days prior to submission. Notice to the general public shall also be given at the same time by posting or publication as required by the subdivision regulations. The notice shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the proposal. For any public hearing on the application, the same notice as required for notice of submission of the application shall be given. If notice of public hearing has been included in the notice of submission or any prior notice, additional notice of that hearing is not required nor shall additional notice be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session was made known at the prior hearing. All costs of notice, whether mailed, posted, or published, shall be paid in advance by the applicant. Failure to pay such costs shall constitute valid grounds for the planning board to terminate further consideration and to disapprove the plat without a public hearing.

(2) For those proposals in which any structure or proposed building site will be within 500 feet of the top of the bank of any lake, pond, river, or stream, the planning board shall also notify the department of environmental services by first class mail at the same time that notice is provided to abutters, cost to be paid in advance by the applicant consistent with subparagraph (d)(1). The sole purpose of notification to the department shall be to provide information to the department for dam hazard classification. This requirement shall not confer upon the department the status of an abutter. Failure by the municipality to notify the department shall not be considered a defect of notice.

(e) Except as provided in this section, no application may be denied or approved without a public hearing on the application. At the hearing, any applicant, abutter, holder of conservation, preservation, or agricultural preservation restriction, or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify as permitted by the subdivision regulations of the board at each hearing. Public hearings shall not be required, unless specified by the subdivision regulations, when the board is considering or acting upon:

(1) Minor lot line adjustments or boundary agreements which do not create buildable lots, except that

notice to abutters and holders of conservation, preservation, or agricultural preservation restrictions shall be given prior to approval of the application in accordance with subparagraph (d) and any abutter or holder of conservation, preservation, or agricultural preservation restrictions may be heard on the application upon request; or

(2) Disapprovals of applications based upon failure of the applicant to supply information required by the regulations, including identification of abutters or holders of conservation, preservation, or agricultural preservation restrictions or failure to meet reasonable deadlines established by the board; or failure to pay costs of notice or other fees required by the board.

(f) The planning board may apply to the selectmen or city council for an extension not to exceed an additional 90 days before acting to approve or disapprove an application. The applicant may waive the requirement for planning board action within the time periods specified in subparagraph (c) and consent to such extension as may be mutually agreeable.

(g) Reasonable fees in addition to fees for notice under subparagraph (d) may be imposed by the board to cover its administrative expenses and costs of special investigative studies, review of documents and other matters which may be required by particular applications.

(h) In case of disapproval of any application submitted to the planning board, the ground for such disapproval shall be adequately stated upon the records of the planning board.

(i) A planning board may grant conditional approval of a plat or application, which approval shall become final without further public hearing, upon certification to the board by its designee or based upon evidence submitted by the applicant of satisfactory compliance with the conditions imposed. Such conditions may include a statement notifying the applicant that an approval is conditioned upon the receipt of state or federal permits relating to a project; however, a planning board may not refuse to process an application solely for lack of said permits. Final approval of a plat or application may occur in the foregoing manner only when the conditions are:

(1) Minor plan changes whether or not imposed by the board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgment; or

(2) Conditions which are in themselves administrative and which involve no discretionary judgment on the part of the board; or

(3) Conditions with regard to the applicant's possession of permits and approvals granted by other boards or agencies or approvals granted by other boards or agencies, including state and federal permits.

All conditions not specified within this subparagraph as minor, administrative, or relating to issuance of other approvals shall require a hearing, and notice as provided in subparagraph (d), except that additional notice shall not be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session were made known at the prior hearing.

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 (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 (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 (c) shall not apply until formal application is submitted under subparagraph (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 (d). A hearing, with notice as provided in subparagraph (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.

Sources: 1983, 447:1, 1985, 159:1, 1986, 57:1, 2, 229:1, 2, 1989, 366:30, 1990, 275:1, 1995, 117:1, 2, 1997, 142:1-4, 249:1, 1998, 274:1, 2004, 714:1, 2005, 333:4, 2008, 229:2, 2009, 31:2, 1, 2010, 39:1, 2, 2011, 164:1, 2, 2013, 270:2, eff. Sept. 22, 2013, 2016, 81:1, eff. July 18, 2016, 2017, 593:3, eff. Aug. 1, 2017, 2019, 6:1, eff. July 9, 2019, 342:3, eff. Oct. 10, 2019.

STEP 1

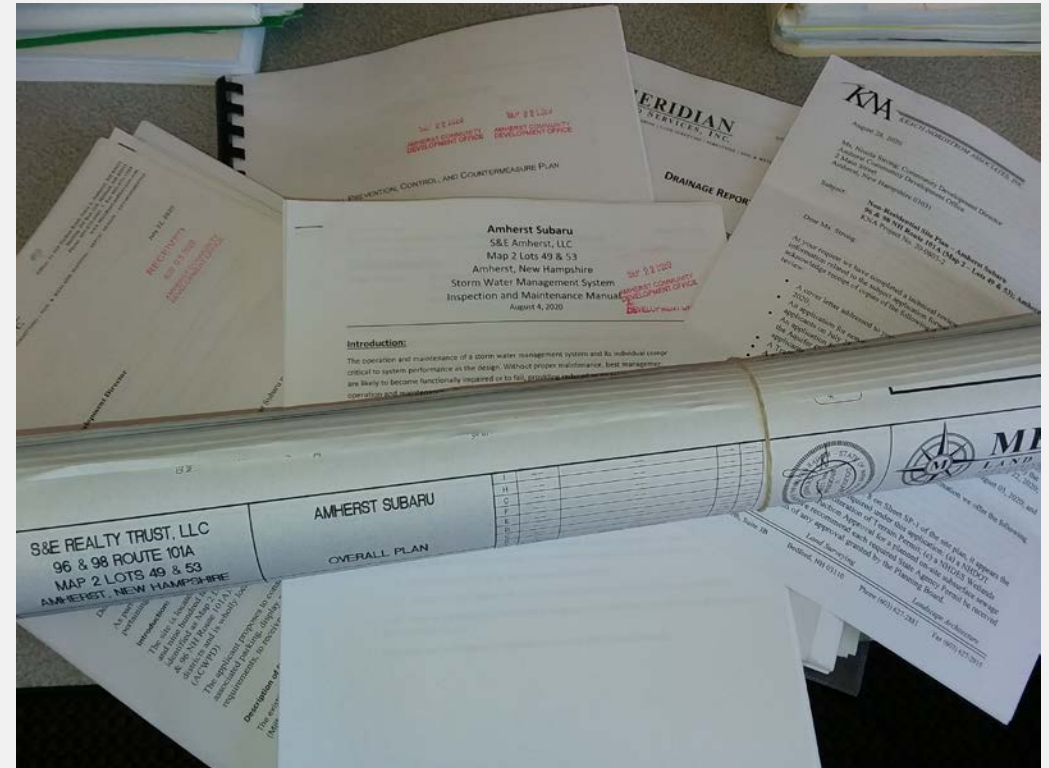
APPLICATION IS DELIVERED TO THE PLANNING BOARD



Town of Amherst, New Hampshire
Office of Community Development
 Building · Code Enforcement · Planning · Zoning · Economic Development

2020 Schedule of Regular Planning Board Meetings

Submittal Deadline for complete application & materials		for	Regular Planning Board Meetings & Public Hearings	
Monday	December 16, 2019		Wednesday	January 15, 2020
Tuesday*	January 21, 2020		Wednesday	February 19, 2020
Monday	February 3, 2020		Wednesday	March 4, 2020
Monday	March 2, 2020		Wednesday	April 1, 2020
Monday	April 6, 2020		Wednesday	May 6, 2020
Monday	May 4, 2020		Wednesday	June 3, 2020



STEP 2

AT THE NEXT MEETING FOR WHICH NOTICE CAN BE GIVEN, OR 30 DAYS FROM DELIVERY OF APPLICATION, THE BOARD DETERMINES IF THE APPLICATION IS COMPLETE

RSA 676:4, I. (b)

...A completed application sufficient to invoke jurisdiction of the Board shall be submitted to and accepted by the board only at a public meeting of the board, with notice as provided in subparagraph (d)....

Only the Planning Board can determine if an application is complete.

MECHANICS OF COMPLETENESS

RSA 676:4, I. (c) (1)

The Board shall, at the next regular meeting or within 30 days following the delivery of the application, for which notice can be given in accordance with the requirements of subparagraph (b), determine if a submitted application is complete according to the board's regulation and shall vote upon its acceptance.

The application has to be accepted as complete at a meeting, with notice. There is no statutory requirement for the completeness discussion to take place at a hearing.

MECHANICS OF COMPLETENESS



Town of Amherst, New Hampshire
Office of Community Development
Building · Code Enforcement · Planning · Zoning · Economic Development

AMHERST PLANNING BOARD AGENDA August 5, 2020 at 7:00 p.m. Meeting to be held via Zoom - no physical location

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/88562829570>
Or Telephone:
312 626 6799
Webinar ID: 885 6282 9570

If you have trouble accessing the meeting please call 603.341.5290

PUBLIC HEARINGS:

1. CASE #: PZ12172-121819 – Arboleda Realty LLC (Owner & Applicant) – The Farmhouse Marketplace, 340 Route 101, PIN #: 008-052-000 – Public Hearing/Non-Residential Site Plan. Proposed multi-use commercial building. Zoned Northern Transitional. *Continued from July 1, 2020.*

COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF APPLICATION IS ACCEPTED AS COMPLETE:

2. CASE #: PZ12738-060920 – Stephen & Sarah Fecteau (Owners & Applicants) – 39 Stearns Road, PIN #: 002-125-000 – Submission of Application/Public Hearing/Conditional Use Permit. To build an attached accessory dwelling unit onto existing house. Zoned Residential Rural.
3. CASE #: PZ12803-062930 – 6 Pine Road LLC (Owners & Applicants) – 6 Pine Road, PIN #: 008-042-000 – Submission of Application/Public Hearing/Non-Residential Site Plan. To illustrate the layout of a climate controlled self-storage building on Tax Map 8, Lot 42. Zoned Limited Commercial.

COMPLIANCE HEARING:

4. CASE #: PZ10695-111318 – Red Major LLC (Owner) & Brew Crew LLC (Applicant) – Aroma Joe's of Amherst, 2 Paul's Way, PIN #: 002-043-007 -



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IMPORTANCE OF DISTINCTION BETWEEN SUBMISSION OF APPLICATION AND PUBLIC HEARING

- Submission of application happens at a public meeting with no requirement that the applicant or the public be allowed to speak or give input.
- Until the application is accepted as complete, it is not within the Board's jurisdiction, the public hearing cannot begin, no action can be taken on the application, and no decisions made for approval, disapproval or conditional approval.

"In some municipalities, the planning board will accept an application and hold the public hearing on the same night. This procedure is allowed, but make sure that the board votes to accept the application as complete before starting the public hearing."

From: The Planning Board in New Hampshire, November 2019, NH OSI

IF THE APPLICATION IS INCOMPLETE

- RSA 676:4 I. (c) (1) Upon determination by the board that a submitted application is incomplete according to the board's regulations, the board shall notify the applicant of the determination in accordance with RSA 676:3 (Notice of Decision), which shall describe the information, procedure, or other requirement necessary for the application to be complete.

"If an application is truly incomplete, the planning board (or other land use board) cannot assert jurisdiction over it and hence, cannot "disapprove" it - that is a judgment on the substance of the application. The board's recourse is to reject the application as incomplete and not to accept it and open the public hearing; that is, send the applicant packing."

From: Ben Frost's answer to a question regarding incomplete applications posted to PlanLink in 2008

IF THE APPLICATION IS COMPLETE

STEP 3
**PLANNING BOARD BEGINS FORMAL CONSIDERATION OF
THE APPLICATION**

- This could mean moving into the public hearing, or
- Scheduling the public hearing
- RSA 676:4 I. (d) (1) contemplates a two-step process but permits this to happen at the same meeting as long as notice has been given for both the acceptance and the public hearing.

WHAT IS COMPLETE?

RSA 676:4 Board's Procedure on Plats

676:4 I. (b) The planning board shall specify by regulation what constitutes a completed application sufficient to invoke jurisdiction to obtain approval. A completed application means that sufficient information is included or submitted to allow the board to proceed with consideration and to make an informed decision.

Subdivision Regulations

Section 210.2 Final Review Phase
Section 210.3 Final Plat(s)
Section 210.4 Submission Documents
for Lott Line Change and Recording

Non-Residential Site Plan Review Regulations

Section 3.1 Submission Procedures
Section 3.2 Submission Requirements

WHAT IS COMPLETE?

- "Some boards worry that accepting an application as complete means that the plans are in final form and ready to be approved. This is not true. "Acceptance" simply means that the minimum information has been submitted in accord with the board's regulations so that the application can be accepted for review - acceptance is what triggers the jurisdiction of the board to review the application and eventually render a final decision. The board may then require a great deal of additional information and plan changes in a particular case as the project goes through the public hearing and board review process."
- From: Procedural Basics for Planning and Zoning Boards. NHMA Law Lecture, 2017

THE DIFFERENCE BETWEEN COMPLETE AND CORRECT

- An application can be accepted as complete by the planning board even though it doesn't necessarily follow local regulations. If an applicant has provided all the necessary materials, studies, or reports required in your application form and/or checklist, then the application must be accepted as complete even though the planning board might know that it will probably be denied later for not following local regulations.

From: The Planning Board in New Hampshire, November 2019, NH OSI

WAIVERS

- Completeness

Waivers for items in the list of things required for a completed application as specified in the regulations.

There will be times when requiring every report and piece of paper on the list makes no sense.

- Content

Waivers for information contained within the items required for a completed application.

STEP 4

WITHIN 65 DAYS, THE PLANNING BOARD MUST RENDER A
DECISION

RSA 676:4 Board's Procedure on Plats


676:4 I. (c) (1) Upon determination by the board that a submitted application is complete according to the board's regulations, the board shall begin formal consideration and shall act to approve, conditionally approve or disapprove within 65 days, subject to extension or waiver as provided in subparagraph (f).

IF THE APPLICATION IS NOT APPROVED

- The applicant is notified in writing within five business days of the reasons for disapproval (RSA 676:3).
- The applicant may:
 - Revise and resubmit its application, or
 - Appeal to Superior Court or the ZBA.

IF THE APPLICATION IS APPROVED

- A Notice of Decision is issued within five business days which includes a detailed description of all conditions necessary to obtain final approval (RSA 676:3).
- Once conditions precedent to an approval are fulfilled, the plans are signed and subdivision plans recorded at the Hillsborough County Registry of Deeds. Site plans are not recorded.



Town of Amherst, New Hampshire
Office of Community Development
Building · Code Enforcement · Planning · Zoning · Economic Development

**TOWN OF AMHERST
PLANNING BOARD
NOTICE OF DECISION**

CASE #: PZ12996-081320
MEETING DATE: October 7, 2020
CREATED BY: Natasha Kypfer, Town Planner
ZONING DISTRICT: Commercial Zone (C), Residential Rural (RR) with Aquifer Conservation and Wellhead Protection (ACWPD) Overlay

APPLICATION DESIGNATION: Non-Residential Site Plan Review
PLAN TITLE and DATE: S&E Realty Trust, LLC 96 & 98 Route 101A Map 2 Lots 49 & 53 Amherst, New Hampshire August 3, 2020

PROPERTY OWNER: S&E Amherst, LLC & Donzi Realty, LLC
APPLICANT/AGENT: S&E Amherst, LLC c/o Sheree Kaplan-Allen Meridian Land Services, Inc.

MAP/LOT: Map 2 Lots 49 & 53
LOT SIZE: Map 2 Lot 49 = 4.179 acres
Map 2 Lot 53 = 2.026 acres

ROAD FRONTAGE: N.H. Route 101A
LOCATION OF PROPERTY: 96 & 98 Amherst St. (N.H. Route 101A)

You are hereby notified that your Non Residential Site Plan as cited above has been conditionally approved by majority vote of the members of the Planning Board on October 7, 2020, on the motion:

I MOVE to approve Case # PZ12996-081320 for S&E Realty, LLC, and Donzi Realty, LLC, for a Non-Residential Site Plan for an automobile dealership with ancillary auto repair and storage, at 96 & 98 N.H. Route 101A, Map 2 Lots 49 & 53, with the following conditions:

CONDITIONS PRECEDENT:

The following conditions must be satisfied prior to the Planning Board Chair signing the Non-Residential Site Plan.

1. Submission of revised plans and other documentation in the number required by the Non-Residential Site Plan Review Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted.

of Amherst Planning Board, Notice of Decision
Amherst, LLC/Donzi Realty, LLC

2. Submission of security required for installation and maintenance of erosion and sedimentation controls throughout the construction period and for site restoration and landscaping as specified in the Non-Residential Site Plan Review Regulations and acceptable to the Planning Board based on an estimate to be provided by KNA.
3. Verification from the town engineer that the plan revisions made by Meridian Land Services are acceptable.
4. Submission of approved NHDES AoT, NHDOT Driveway and NHDES Septic plans and permits.
5. Payment of any outstanding fees for the Non-Residential Site Plan Review application, including any fees for recording at the HCRD.

CONDITIONS SUBSEQUENT:

The following conditions subsequent shall be met during construction and on an ongoing basis.

1. All improvements to the site shall be in conformance with the Conditional Use Permit currently under review by the Amherst Planning Board.
2. The applicant shall comply with all of the Town of Amherst's Zoning Ordinance, Subdivision Regulations, Non-Residential Site Plan Review Regulations and Stormwater Ordinance.
3. This approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions or changes to the plans are not authorized and may require additional Planning Board approval.
4. A voluntary lot merger shall be filed by the Applicant/Owner for review by the Planning Board prior to the issuance of a certificate of occupancy (CO). The cost of recording the notice of merger at the HCRD shall be paid by the applicant.
5. The applicant shall provide the Town engineering certification that the intent of the drainage plan has been met to the satisfaction of the engineer.
6. The applicant is assessed impact fees in accordance with the Amherst Impact Fee Schedule approved on June 22, 2020, as follows, with the exact amount of the fees to be calculated by the Community Development Office based on the final square footage determinations. Said impact fees to be collected in accordance with the Impact Fee Ordinance.
 - a. For the automotive repair bays, including the car wash area, at the Institutional and Other rate;

of Amherst Planning Board, Notice of Decision
Amherst, LLC/Donzi Realty, LLC

- a. For all other areas, including but not limited to the showroom, sales and finance areas, waiting areas, car drop-off/service writing area, and parts sales and storage areas, at the Retail rate.

7. Before any Certificate of Occupancy or Temporary Certificate of Occupancy is issued, the Planning Board shall hold a public hearing to determine that the improvements shown and conditions of approval have been substantially satisfied. The applicant shall provide the Planning Board with an as-built plan of the improvements at the same scale as the original plan, seven (7) contact prints and two (2) mylar copies to be used as overlays. The applicant is responsible for all required data to notify abutters, including appropriate fees. This regulation shall not apply to subdivisions of single family homes. All applications shall be filed no later than twenty (20) days before the requested meeting.
8. All construction shall be performed in accordance with the plans, profiles, typical sections and details approved by the Planning Board.
9. No occupancy permits shall be granted for any structure until all work shown on an approved site plan is complete to the satisfaction of the Building Inspector, Fire Department, Public Works Department and Office of Community Development, as applicable.

ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND SUBSTANTIAL COMPLETION OF IMPROVEMENTS:

1. Within 24 months after the date the plans are signed by the Planning Board Chair, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 5-year exemption to regulation/ordinance changes:

commencement of ground preparation for stormwater infiltration structures
2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting:

all foundations installed

Community Development Director

Date

towns/Community Development/Properties/002/002-049-000 & 002-053-000/Planning Board/NRSP -049-000_002-053-000_NRSP_NOD_10.7.20.docx

PLANNING BOARD ACTION ITEMS FOR CONSIDERATION

- Discuss the current process and determine whether or not the Board is still in favor of holding the completeness determination and the public hearing under the same notice and potentially at the same meeting.
- Be mindful of the terminology of the statutes and be sure to accept applications as complete.
- Do not have any discussion or presentation of the application until the completeness determination has been made and the public hearing has begun. Make it clear at meetings which phase of the process the Board is in.
- Consider the items listed in the regulations that are required for a completed application and determine whether or not the lists are still appropriate.
- Consider adding items needed for completeness for Conditional Use Permit applications which currently do not include such lists.
- Revise the Rules of Procedure to remove reference to accepting applications as complete from the Public Hearings section.
- Unless compelling and extenuating circumstances exist, do not continue incomplete applications, it defies the purpose of the statute. Reject the application as incomplete, issue a Notice of Decision indicating the items required for completeness, and require the applicant to reapply with all the required information included in their application.

QUESTIONS?