

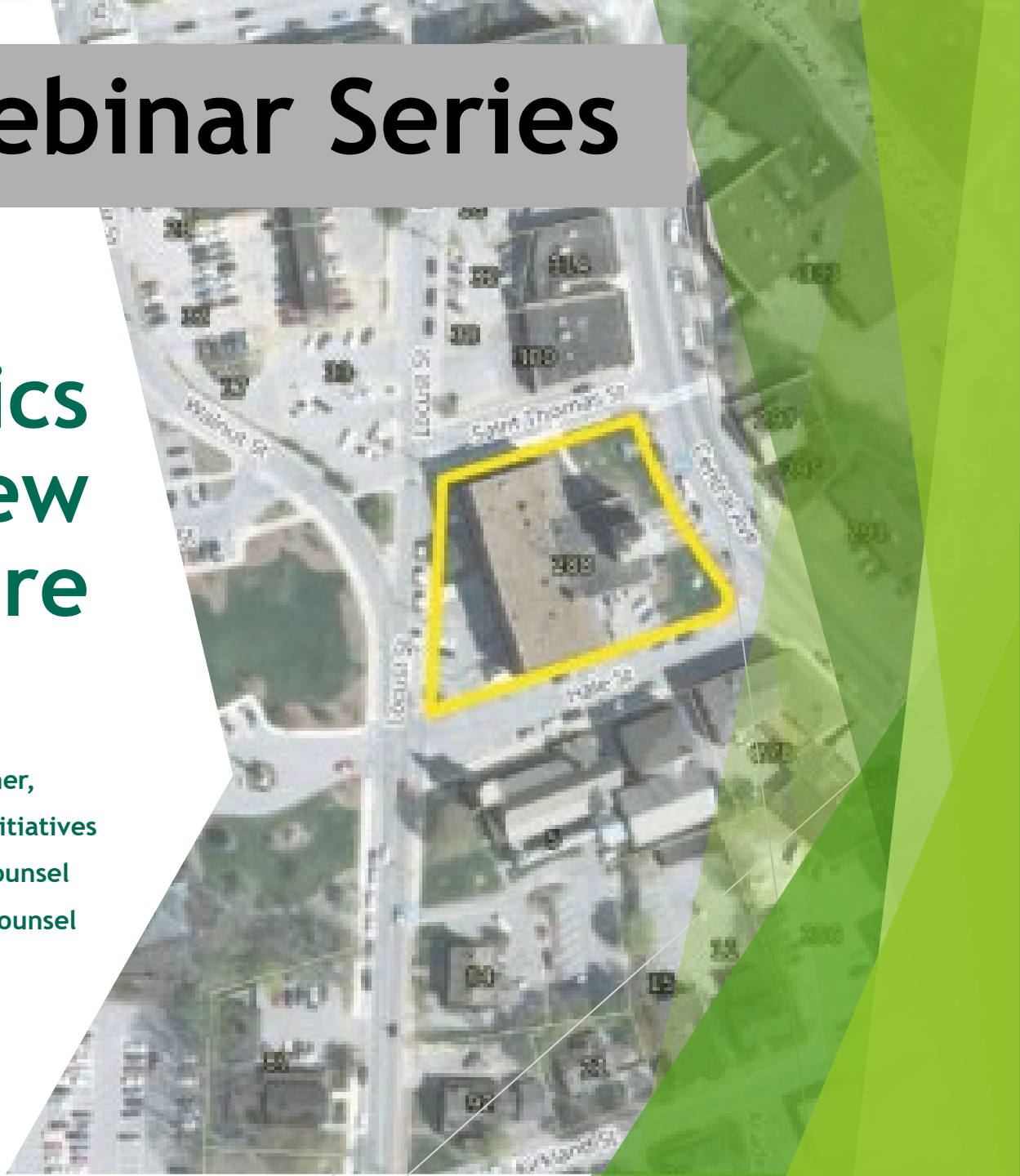
2021 Webinar Series

ZBA Basics in New Hampshire

Presented by:

Michael A. Klass, Principal Planner,
New Hampshire Office of Strategic Initiatives
Stephen Buckley, Legal Services Counsel
Natch Greyes, Municipal Services Counsel

April 13, 2021



Our Presenters



Stephen Buckley
Legal Services Counsel



Michael Klass
Principal Planner
NH Office of Strategic Initiatives

Natch Greyes
Municipal Services Counsel



The Zoning Board of Adjustment



ZBA Basics - Natch

Holding the Hearing & Making the Decision - Natch

Special Exceptions & Variances - Steve



Rehearings - Steve

OSI - Introduction to OSI, Floodplain Regulations & the ZBA, Developments of Regional Impact, Regional Planning Commissions, Conflicts of Interest - Mike

How Do I Ask a Question?



To ask a question:

1. Type your question into the Q&A box. Click **Send**.

Note: Check **Send Anonymously** if you do not want your name attached to your question in the Q&A.

2. If the host replies via the Q&A, you will see a reply in the Q&A window.

A screenshot of a web-based Q&A interface. The window title is 'Q&A'. It shows a question: 'You asked: What happens when I raise my hand?' with a timestamp of '18:03'. Below it is an answer: 'Molly Parker answered: I can take you off of mute.' with a timestamp of '18:04'. At the bottom, there is a text input field with the placeholder 'Please input your question', a checkbox labeled 'Send Anonymously', and a blue 'Send' button.

The chat function for this workshop has been disabled.

In order to ask a question of our host or a panelist, please refer to graphic.

Once your question has been answered, it will then appear under the *Answered* tab.

What is the Role of the ZBA?

Safety valve

Quasi-Judicial

No enforcement authority

Obligation to assist public
(reasonable)

Rules of procedure

No requirement for monthly
meeting

What is the ZBA's Jurisdiction?

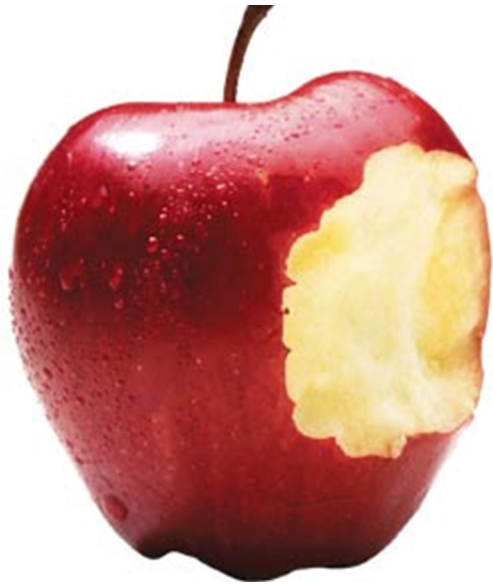


- RSA 674:33:
 - Administrative appeals (RSA 674:33 & 676:5)
 - Variances
 - Special Exceptions
- RSA 674:33-a: Equitable waivers of dimensional requirements
- RSA 674:41, II: Special waiver, building on Class VI/private roads
- RSA 674:32-c, II: Special waiver, agricultural uses
- Variances for disabled, RSA 674:33, V
- RSA 236:115: Certificates of approval, junkyards
- Often serves as building code board of appeals

Appeals to the ZBA

- ▶ RSA 676:5
- ▶ ZBA hears appeals, per RSA 674:33
- ▶ Heard within reasonable time, per ZBA rules
- ▶ ZBA may impose reasonable fees
- ▶ ZBA may require applicant to reimburse for third party review & consultation





“One Bite of the Apple”



Fisher v. Dover



Appeal to the board within a reasonable time (in your rules, RSA 676:5)



Hearing within 45 days



Notice to affected persons, RSA 676:7

Public Notice: 5 days

Individual Notice

Continuing the hearing



Opportunity to be heard, RSA 676:7

Certain individuals must be heard

Other may be heard



Decision based on facts and evidence, RSA 674:33, 91-A



Decision by impartial tribunal, RSA 673:14



Written decision with reasons, RSA 676:3

The Evidence

What does the board do during the hearing?

- Collect evidence and determine the facts
- Apply legal tests (e.g., the variance criteria)
- Develop a record for court review

Board has considerable discretion to choose between competing expert opinions:

- General studies and articles may not be enough to contradict specific expert opinion
- Board may question expert's qualifications, methodology, etc.
- Board may rely on personal knowledge of the area
- BUT uncontradicted expert testimony overcomes general member knowledge

All land use boards may hire consultants, RSA 673:16

ZBA may ask applicants to pay for special investigative studies

The Decision

RSA 674:33 & 676:3



- ▶ 3 members must concur
- ▶ Must use one consistent voting method, RSA 674:33, I(c)
- ▶ Decision must be in writing
 - ▶ (State reasons for approval/ disapproval)
- ▶ Conditions of approval?
- ▶ Issue decision w/in 5 business days

How to Make the Decision



- ▶ ZBA need not mindlessly accept the conclusions of experts with knowledge of the project.
 - ▶ ZBA entitled to question and reject the methodology or conclusions of the expert's studies of the proposed development.
- ▶ Although the ZBA may not disregard an expert opinion based upon vague and unsupported concerns of town residents, it may rely upon residents' statements of objective facts in its determination of how much weight to give an expert opinion.
- ▶ *Three Ponds Resort v. Town of Milton is illustrative*
 - ▶ Applicant commissioned a traffic study.
 - ▶ Traffic study concluded no additional impact.
 - ▶ ZBA considered Three Ponds' traffic study in detail and identified at least three significant concerns (all of which were supported by the record), before rejecting the expert's conclusions.

What if Someone Doesn't Like the Decision?



- ▶ “Any person aggrieved” may appeal to Superior Court or Housing Appeals Board w/in 30 days.
- ▶ House Appeals Board is new, alternative route to Superior Court.
- ▶ HAB recently had first case, and adopted rules of procedure.
- ▶ Concerns voiced about fairness of HAB, but too early to know whether any pattern to decisions and/or how HAB will function once it is totally up and running.
- ▶ (See <https://hab.nh.gov/> for updates as they adopt/modify rules and issue ruling.)

ZBA Authority to Rule Zoning Relief is Unnecessary

- ▶ Contained in every variance application is the threshold question whether the applicant's proposed use of property requires a variance because the zoning board of adjustment (ZBA) will invariably consider this issue in deciding whether unnecessary hardship exists.
- ▶ Given the complexity of zoning regulation, the obligation of municipalities to provide assistance to all their citizens seeking approval under zoning ordinances, and the importance of the constitutional right to enjoy property, the Court concludes that the mere filing of a variance application does not limit the ZBA's ability to determine whether the applicant's proposed use of property requires a variance in the first place.

Bartlett v. City of Manchester, 164 N.H. 634, 635 (2013)

Special Exceptions

- Permission to do something zoning ordinance permits under specific circumstances
- Must be in zoning ordinance!

Variances

- Permission to do something not permitted by zoning ordinance
- Five criteria, RSA 674:33, I



Variance Criteria 1 & 2



1. The variance will not be contrary to the public interest.

Examine whether the variance would

- (a) alter the essential character of the locality or
- (b) threaten public health, safety or welfare.

2. The spirit of the ordinance is observed.

Examine the effect of the variance in light of the goals of the zoning ordinance, which might begin, or end, with a review of the comprehensive master plan upon which the ordinance is supposed to be based.

Variance Criteria 3



Substantial justice is done.

→ Perhaps the only guiding rule is that any loss to the individual that is not outweighed by a gain to the general public is an injustice. The injustice must be capable of relief by the granting of a variance that meets the other qualifications. Courts will also look at whether proposed development is consistent with the area's present use.

Variance Criteria 4



The values of surrounding properties are not diminished.

In considering whether an application will diminish surrounding property values, consider not only expert testimony from realtors and/or appraisers, but also from residents in the affected neighborhood. Equally as important, Board members may consider their own experience and knowledge of the physical location when analyzing these criteria; but be cautious in relying solely on that experience/knowledge if it contravenes the evidence of professional experts. It is the board's job to weigh competing evidence.

Variance Criteria 5



Literal enforcement of the zoning ordinance would result in an *unnecessary hardship*.

1. “UNNECESSARY HARDSHIP” MEANS THAT, OWING TO SPECIAL CONDITIONS OF THE PROPERTY THAT DISTINGUISH IT FROM OTHER PROPERTIES IN THE AREA:

- (i) NO FAIR AND SUBSTANTIAL RELATIONSHIP BETWEEN THE GENERAL PUBLIC PURPOSES OF THE ORDINANCE PROVISION AND THE SPECIFIC APPLICATION OF THAT PROVISION TO THE PROPERTY;**
- (ii) THE PROPOSED USED IS A REASONABLE ONE.**

OR If #1 not satisfied:

2. AN UNNECESSARY HARDSHIP WILL BE DEEMED TO EXIST IF, AND ONLY IF, OWING TO SPECIAL CONDITIONS OF THE PROPERTY THAT DISTINGUISH IT FROM OTHER PROPERTIES IN THE AREA, THE PROPERTY CANNOT BE REASONABLY USED IN STRICT CONFORMANCE WITH THE ORDINANCE AND A VARIANCE IS THEREFORE NECESSARY TO ENABLE A REASONABLE USE OF IT.

Special Exception Criteria



- ▶ The review standards for variances does not apply to special exceptions.
- ▶ In contrast to a variance, a special exception is a use permitted upon certain conditions as set forth in a town's zoning ordinance.
- ▶ If the conditions for granting a special exception are met, the zoning board must grant it, and by so doing, no exception to the application of the ordinance is truly made.
- ▶ A special exception is not the equivalent of a nonconforming use. Uses that are permitted as special exceptions are deemed to be permitted so long as they satisfy the special exception provisions in the ordinance.

Is Cumulative Impact a Permissible Consideration?



- ▶ Perreault v. Town of New Hampton, 171 N.H. 183 (2018).
- ▶ Applicant sought variance to construct a shed within the 20-foot side yard set back, that was denied by the ZBA.
- ▶ There was evidence of sixteen other properties, all located on the same road as the applicants' property, with storage buildings in locations that the applicants asserted were in violation of the setback requirements.
- ▶ According to the applicants, this evidence demonstrated that their proposed shed would not alter the essential character of the neighborhood or threaten the public health, safety, or welfare.
- ▶ The ZBA's denial was based upon the conclusion that allowing many sheds to be built on a small lot within those setbacks creates overcrowding and is contrary to the spirit of the ordinance.
- ▶ The Court assumed without deciding, that cumulative impact is a proper consideration in the variance context.

Cumulative Impact - *Foley v. Enfield*



- ▶ The applicant sought to construct two-story house and an attached, two-car garage within the 30-foot setback from Rollins Point Road, eight to ten feet from his lot line. He argued that the ZBA erred in finding that the variance would violate the spirit of the ordinance by promoting overcrowding of the land.
- ▶ the ZBA chair noted that while the plaintiff's proposed construction of a larger house on his property may not have a "great effect" on Rollins Point, the cumulative effect of granting similar variance requests in the future could be "large and irreversible."
- ▶ During deliberations, the majority of the ZBA observed that the plaintiff's proposed construction "would crowd the land of Rollins Point and might encourage further such crowding and thereby would degrade the natural environment of the point."
- ▶ Court concluded that, in evaluating the plaintiff's variance request, the ZBA acted properly in considering the cumulative impact of granting similar variances in the future on Rollins Point. See id.

Time for Exercising Variances and Special Exceptions



2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause,...



RSA 674:33, I-a



2018 amendment allows for termination of variances granted prior to 8/19/13 by zoning amendment

Rehearings, RSA 677:2

- Motion must be filed within 30 days
- ZBA may even consider its own decision within time period
- Hold meeting to determine whether to grant rehearing
- Grant rehearing when board committed technical error or there is new evidence that was not available at the time of the first hearing
- If rehearing is granted, may consider certain issue(s) or rehear entire case

Beyond the Rehearing

- ▶ Affected party with standing may appeal to Superior Court within 30 days, RSA 677:4, or, if the application involves housing and housing development, to the Housing Appeals Board.
- ▶ Be sure to compile and preserve “the record” as completely as possible.
- ▶ If an appeal is filed, the local governing body will manage the litigation with the municipal attorney.





Planning Division

- ▶ Conservation Land Stewardship Program
- ▶ Geographic Information Systems
- ▶ State Data Center (Census Data)
- ▶ Floodplain Management Program
- ▶ Municipal and Regional Planning Assistance

Energy Division

- Develops state energy policy
- Administers misc. state and federal energy programs



State Data Center



- Provides access to Census info and other statistics across the state for planning, government, education, and business
- Population Estimates
 - ▶ Group Quarter Survey
 - ▶ Building Permit Survey
- Populations Projections
- Resource for finding and interpreting data

United States[®]
Census
2020

Floodplain Management Program



(Source: Dan MacDonald, New Boston Fire Chief)



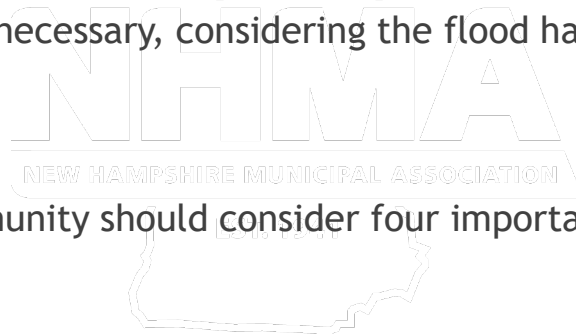
(Source: Kellie Walsh)

NFIP's Additional Variance Criteria



The floodplain ordinance's (additional) variance criteria include:

- ▶ Will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
- ▶ If the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
- ▶ The variance is the minimum necessary, considering the flood hazard, to afford relief.



FEMA guidance states that a community should consider four important issues before granting a variance:

- ▶ the community's liability,
- ▶ the cumulative impacts on the floodplain of granting multiple similar variances,
- ▶ the variance decision will last for the life of the structure, and
- ▶ whether granting a variance will jeopardize the community's participation in the NFIP.

<https://www.nh.gov/osi/planning/programs/fmp/index.htm>

Municipal & Regional Planning Assistance (MRA)

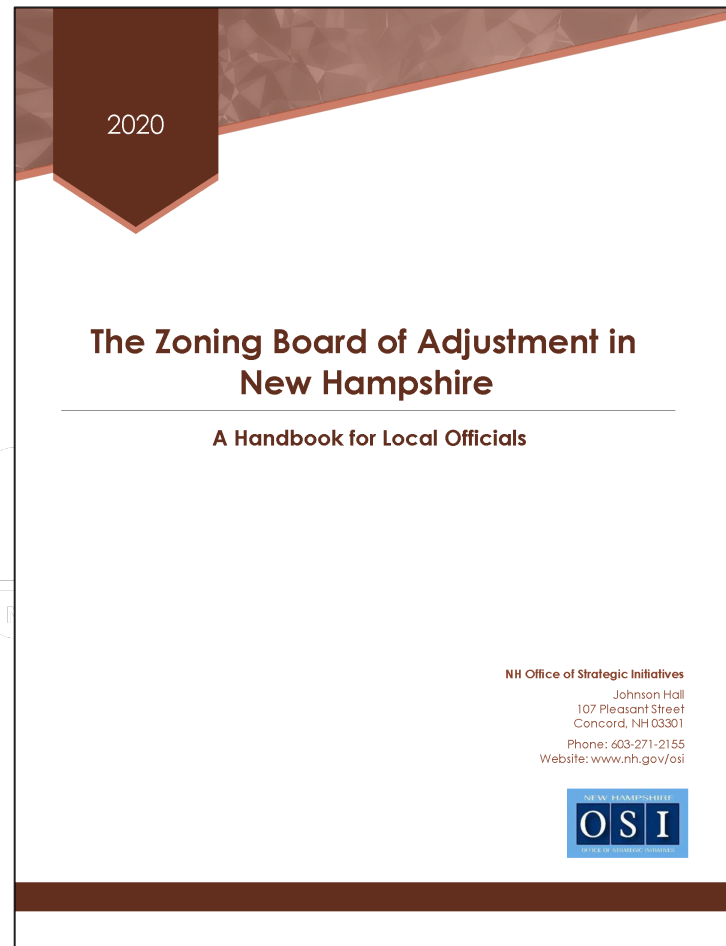


- ▶ Provides general assistance to land use development and municipal planning requests.
- ▶ Coordinates with planning partners to provide training and guidance for municipalities and board members.
- ▶ Produces various publications.
- ▶ Conducts an annual municipal land use regulation survey.

ZBA Handbook

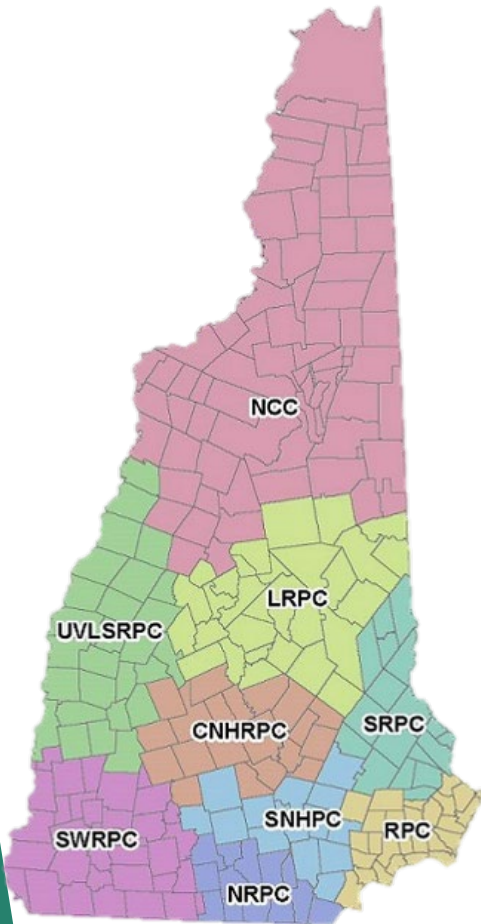


- ▶ Downloadable
- ▶ Free digitally
- ▶ Searchable
- ▶ Linked TOC



<https://www.nh.gov/osi/planning/resources/documents/zoning-board-handbook.pdf>

Regional Planning Commissions (RPCs)



- ▶ Enabled under RSA 36
- ▶ 9 Regional Planning Commissions
- ▶ Support local municipalities with planning and community development
- ▶ Voluntary
- ▶ No regulatory jurisdiction over local land use planning

Developments of Regional Impact (RSA 36:54 - :58)



- ▶ DRI when proposed development “could reasonably be expected to impact on a neighboring municipality” because of factors such as:
 - I. Relative size or number of dwelling units as compared with existing stock.
 - II. Proximity to the borders of a neighboring community.
 - III. Transportation networks.
 - IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
 - V. Proximity to aquifers or surface waters which transcend municipal boundaries.
 - VI. Shared facilities such as schools and solid waste disposal facilities.

DRI - Procedure?



- ▶ Within five (5) days of the meeting at which the DRI determination was made, send copies of the minutes of that meeting, by certified mail, to the RPC and to the affected neighboring municipalities.
- ▶ At the same time, submit a set of initial development plans to the RPC. The applicant bears the cost of providing and sending such plans.
- ▶ At least 14 days before the public hearing, the board must notify, by certified mail, all affected municipalities and the RPC of the date, time, and place of the hearing and of their right to testify concerning the development.
- ▶ Don't forget the Building Inspector!

DRI - When?



RSA 36:56, I states that

“[a] local land use board, as defined in RSA 672:7, upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact.”

DRI - Why?



- ▶ Provide timely notice to potentially affected communities of land use board's meetings and public hearings involving the proposed development.
- ▶ Allow RPCs and the potentially affected neighboring municipalities to furnish timely input (as abutters).
- ▶ Encourage the land use boards to consider the interests of other potentially affected municipalities.



Conflicts of Interest



[RSA 673:14, I](#) Disqualification of Member.

No member of a zoning board of adjustment, building code board of appeals, planning board, heritage commission, historic district commission, agricultural commission, or housing commission shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law. Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts involved gained in the performance of the member's official duties.

Juror Standard



500-A:12 Examination. -

I. Any juror may be required by the court, on motion of a party in the case to be tried, to answer upon oath if he:

- (a) Expects to gain or lose upon the disposition of the case;
- (b) Is related to either party;
- (c) Has advised or assisted either party;
- (d) Has directly or indirectly given his opinion or has formed an opinion;
- (e) Is employed by or employs any party in the case;
- (f) Is prejudiced to any degree regarding the case; or
- (g) Employs any of the counsel appearing in the case in any action then pending in the court.

II. If it appears that any juror is not indifferent, he shall be set aside on that trial.

Avoiding Conflicts

- ▶ Advisory Vote - RSA 673:14, II.
- ▶ Recuse (yes) vs. Abstain (no)
- ▶ Avoid Social Media Opinions on Pending Matters
- ▶ Disclose and Remove Yourself
- ▶ Err on the Side of Caution!

Case Study: Winslow v. Holderness Planning Board (1984)



- ▶ Abutter appeal of a PB subdivision approval (with waivers granted)
- ▶ Resident (at the time) spoke in favor of the application and subsequently became a member of the board who voted in favor of the proposal (6-1 vote)
- ▶ Superior Court reversed PB decision & applicant appealed
- ▶ Supreme Court affirmed the lower court:
 - Proper to disqualify PB member as evidence showed he was not indifferent
 - Mere participation by a single DQ'd member can invalidate a board's decision
- ▶ Quasi-judicial vs. administrative / legislative discussion

Case Study: W. Robert Foley, Trustee v. Enfield (2017)



- ▶ ZBA chair e-mailed a “list serve” asking, “Should the board members consider precedents when deciding their position on a case?” The chair received replies from municipal employees and zoning board members in other communities.
- ▶ The ZBA denied the rehearing request the day after the chair's e-mail on the ground that granting the requested variance would violate the spirit of the ordinance by promoting overcrowding.
- ▶ Applicant learned of email after he appealed to superior court and argued that ex parte communications violated his right to a fair hearing and he might have asked for a recusal.
- ▶ The Court noted that plaintiff failed to appropriately preserve issue for appeal and concluded that the plaintiff failed to demonstrate prejudice as a result of the communications.

Case Study: Z-1 Express v. Manchester (2019)



- ▶ CUP application before planning board.
- ▶ After the public hearing portion, but before deliberations, two members voiced opposition to the project on a social media site established by residents opposing the project.
- ▶ One of the members who voiced opposition on social media was asked to recuse himself, he refused and he later voted to deny the application.
- ▶ Superior Court remanded the case after finding that the member's failure to enter into and participate in deliberations with an open mind “threaten[ed] the integrity of the deliberative process” undermining public trust in the overall function of the planning board.

DON'T MISS OUT - NHOSI 2021 Planning & Zoning Conference



 NH Office of Strategic Initiatives - Planning Division
2021 Planning & Zoning Training Opportunities

NHOSI will be conducting the following online trainings in 2021. All trainings will be recorded.

NHOSI 27th Annual Spring Planning and Zoning Conference

The 2021 Conference will be held as a free, half-day virtual conference and will offer two tracks. All sessions will be conducted live with a question and answer session and will be recorded. **Registration for the Conference will open on March 29, 2021.**

Saturday, May 15, 2021

Planning Board Track (9 am to 12 pm):

- Planning Board Basics
- Roles and Responsibilities of the Planning Board

Zoning Board Track (9 am to 12 pm):

- Roles and Responsibilities of the Zoning Board
- Decision Making Process

More details about the Conference will be distributed and posted on the **OSI Planning and Zoning Training web page: www.nh.gov/osi/planning/planning-training.htm**

NHOSI Planning Lunches at Noon (PLAN) Monthly Webinar Series

New this year, NHOSI will be offering free, online, monthly training webinars on various planning and zoning topics on **every third Thursday of the month from 12 to 1 PM**. All webinars are conducted live with a question and answer session and will be recorded. The slides, recording link, and handouts for each webinar will be available.

Learn more about the past webinars, which include an Overview of the 2019-2020 Municipal Land Use Regulations Survey Results, Overview of the 2019 NH Housing Supply Report, and Digging into RSA 155-E, and the upcoming schedule for future webinars on the **OSI Planning and Zoning Training web page: www.nh.gov/osi/planning/planning-training.htm**

New Hampshire Office of Strategic Initiatives - Planning Division

To contact the Planning staff about training, please email training@osi.nh.gov.
To learn more about the Planning Division's programs, services, and resources please go to:
www.nh.gov/osi/planning/

9:00 am - 12:00 noon
Saturday, May 15, 2021

It's a Free, Half-day
On-line Conference

MUNICIPAL ASSOCIATION

603.224.7447

REGISTRATION NOW OPEN!

legalinquiries@nhmunicipal.org/603.224.7447/www.nhmunicipal.org

RECYCLING 101 for Municipal Officials

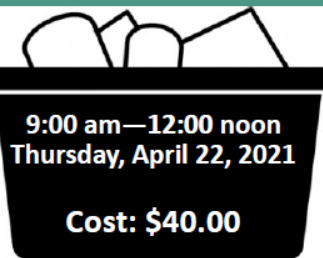


Recycling 101:



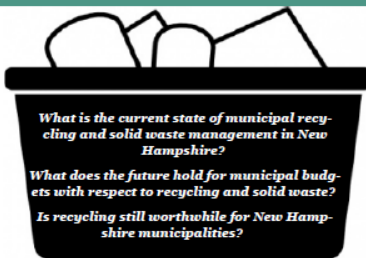
Municipal Solid Waste & Recycling in New Hampshire Virtual Workshop

DON'T
MISS
THIS



9:00 am—12:00 noon
Thursday, April 22, 2021

Cost: \$40.00



What is the current state of municipal recycling and solid waste management in New Hampshire?

What does the future hold for municipal budgets with respect to recycling and solid waste?

Is recycling still worthwhile for New Hampshire municipalities?

Join Reagan Bissonnette and Heather Herring of the Northeast Resource Recovery Association (NRRA) for an in-depth workshop on solid waste, recycling, and waste reduction for NH municipalities. Over 80% of New Hampshire's towns and cities are members of NRRA, a recycling nonprofit that helps municipalities manage their own recycling programs. The workshop will provide an introduction to municipal solid waste, recycling, and other waste reduction techniques, including composting and pay as you throw. Attendees will learn about recycling markets, including recent changes during the pandemic, and how municipalities can make informed decisions to improve their recycling programs and reduce their costs. To bring these concepts to life, the workshop will include case studies about plastic and glass recycling as well as specific examples for how other New Hampshire municipalities are successfully managing their recycling and solid waste.

SPEAKER BIOGRAPHIES

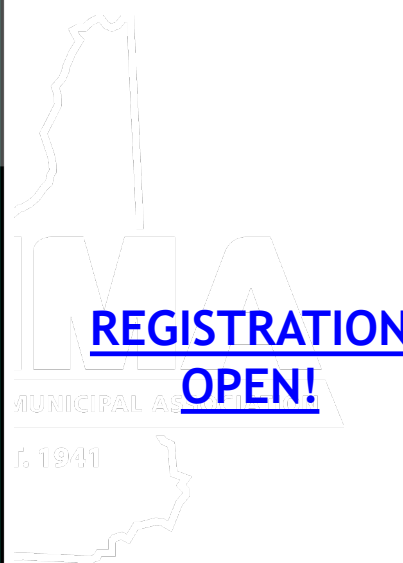


Reagan Bissonnette is the Executive Director of the NRRA where she oversees all aspects of its activities.

Heather Herring is a Member Services Representative at the NRRA, where she supports municipal members with cooperative marketing and purchasing and technical assistance.



Pre-registration and payment is required. If you register but cannot attend, a recording of the workshop will be provided as long as payment has been received. Questions? Please contact our Event Coordinator, Ashley Methot at 603-230-3350 or nhmregistrations@nhmunicipal.org



2021 Hard Road to Travel Virtual Workshop



2021 Hard Road to Travel Virtual Workshop

Thursday, May 6, 2021
9:00 a.m.—12:30 p.m.

\$55

PROGRAM AGENDA



A significant timber removal operation is proposed and the road agent is concerned about damage to the adjacent town road, what can the Select Board do?

How does the Select Board approve the use of our Class VI Roads by OHRV's and Snowmobiles?

Under what circumstances can the town agree to plow or maintain a Class VI or Private Road?

Join NHMA Legal Services Counsel Stephen Buckley and Municipal Services Counsel Natch Greyes for the answers to these questions --- and many more! This workshop will delve into the details of how weight limits are established, seasonal and otherwise, and the implications for proposed hauling routes for timber removal operations. The attorneys will discuss the designation and management of Class VI roads, including how and when building permits can be issued under RSA 674:41, granting permission for use of Class VI roads by OHRV's and snowmobiles, and allowing abutting property owners to undertake private repairs. This virtual workshop will also cover management of local highway construction, repair and maintenance through the office of an elected or appointed road agent or expert agent. This virtual workshop will also provide a review of the local regulation of highways by the select board including, parking, street numbers, street names, weight limits, mailbox location, as well as driveway regulation by the planning board.

Pre-registration and payment is required. If you register but cannot attend, a recording of the workshop will be provided as long as payment has been received.

Questions? Please contact our Event Coordinator, Ashley Method at 603-230-3350 or nhmaregistrations@nhmunicipal.org.

**A HARD
ROAD TO
TRAVEL**

New Hampshire Law of
Local Highways, Streets, and Trails

Attendees will receive a complimentary electronic copy of the NHMA's publication, *A Hard Road to Travel: New Hampshire Law of Local Highways, Streets, and Trails*.

Additional materials such as the PowerPoint presentation will also be distributed electronically. No print outs of the materials or hard copy of the publication will be provided.



REGISTRATION
OPEN

Upcoming FREE Local Officials Workshop

New Hampshire Municipal Association

Free VIRTUAL workshop for newly-elected and seasoned municipal officials and employees of member municipalities.



2021 Local Officials Workshop

**Free Virtual
Training Event!**

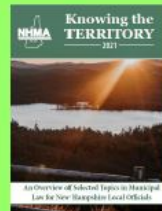
JOIN US ON MAY 18TH!

9:00 am—4:00 pm

Tuesday, May 18, 2021

Presented by NHMA's Legal Services attorneys, this complimentary live virtual workshop provides municipal officials with the tools and information to effectively serve your communities. This workshop is tailored for new and experienced municipal officials. Topics will include the Right-to-Know Law, managing local government in a pandemic, ethics and conflicts, running effective meetings, town governance, municipal roads, budget and finance and more. This program will also include a presentation on hot topics pending before the NH Legislature of concern to municipal officials. Ample time allowed for questions, answers, and discussion.

**For more information and to
register visit: www.nhmunicipal.org**



Attendees will receive a complimentary copy of NHMA's 2021 edition of the publication, *Knowing the Territory*.



**REGISTER
TODAY**

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

A Guide To Effective Code Enforcement Virtual Workshop



CODE ENFORCEMENT

NHMA

VIRTUAL WORKSHOP!

Building inspectors, code enforcement officers, fire chiefs, health inspectors, and various other municipal officials are responsible for the enforcement of a variety of codes, regulations, and ordinances related to the use of land. These include both local regulations, such as zoning ordinances, site plan and subdivision regulations, health regulations, and the conditions of approval that accompany many land use board approvals, as well as state law, such as the State Building and Fire Code and statutes governing junkyards.

Effectively enforcing these various codes and regulations can pose a challenge to municipalities. Join Attorneys Matt Serge and Christine Fillmore from the law firm of Drummond Woodsum, for this half-day virtual workshop which will provide municipal officials with practical guidance on how to navigate the nuanced procedures associated with code enforcement, as well as practical advice in pursuing an enforcement action against non-compliant property owners. Our legal experts will address some of the most difficult issues under the law, including junkyards, dilapidated buildings, and health codes. There will be ample time for questions and answers.

**A Guide to Effective Code Enforcement
Virtual Workshop**

9:00 am—12:00 pm
Thursday, May 20, 2021

Cost is \$55

zoom

DrummondWoodsum
ATTORNEYS AT LAW

For registration information,
visit www.nhmunicipal.org
under Calendar of Events.




Questions? Call US AT 603.224.7447 or email
NHMAregistrations@nhmunicipal.org

A small image of the book cover for "A Guide to Effective Code Enforcement: Investigating and Enforcing Code and Land Use Violations". The cover is dark blue with white and yellow text. It features a word cloud of terms related to code enforcement, such as "ZONING", "PERMITS", "VARIANCES", "ENFORCEMENT", "VIOLATIONS", "HEALTH", "SAFETY", "COMPLIANCE", "REGULATIONS", "APPROVALS", "ORDINANCES", "MUNICIPAL", "OFFICIALS", "INSPECTORS", "CHIEFS", "OFFICERS", "BUILDING", "FIRE", "CODES", "STATUTES", "LAND", "USE", "BOARD", "APPROVALS", "STATE", "LAW", "MUNICIPALITY", "OFFICIALS", "INSPECTORS", "CHIEFS", "OFFICERS", "BUILDING", "FIRE", "CODES", "STATUTES", "LAND", "USE", "BOARD", "APPROVALS", "STATE", "LAW", "MUNICIPALITY".




REGISTRATION OPEN

The Academy for Good Governance








Academy for Good Governance



The Academy for Good Governance is a series of six courses created by NHMA and Primex, exclusively for elected governing body members (select board, town council, city council, board of aldermen, school board, and village district commissioners). Courses are taught by experienced attorneys and staff from NHMA, Primex, HealthTrust, and the New Hampshire School Boards Association (NHSBA). Attendees will receive education and training intended to make them more knowledgeable and effective in their governing body roles.

Attendance at the Academy is free and open to governing body members from municipalities and school districts that are members of NHMA, Primex and NHSBA. Space is limited, and registration will open on the NHMA website in March. Attendees must attend all six courses to receive a Certificate of Completion. All classes run 5:00 pm – 7:00 pm with two classes in June, two in September and two in October.





WHO CAN ATTEND?
Select board members – Town councilors – School board members – City councilors
Board of Aldermen – Village districts commissioners



CREATE NEW CONNECTIONS

Don't miss this chance to build your skills and connect with fellow municipal officials!

Questions?
Call us at 603.224.7447 or email us at
NHMAregistrations@nhmunicipal.org



TENTATIVE TOPICS

- Governance & Governing Body Authority
Presented by NHMA/NHSBA
- Budget & Finance
Presented by NHMA
- Employment Liability/Harassment
Presented by Primex
- Contracts and General Risk Management
Presented by Primex
- Health Care and Affordable Care Act
Presented by HealthTrust
- Effective Public Meetings
Presented by NHMA/NHSBA



If interested, contact
Ashley Methot at
amethot@nhmunicipal.org

Upcoming Municipal Trustees Introductory Training Virtual Workshop



**2021 Municipal Trustees
Introductory Training Virtual Workshop
9:00 am—3:00 pm, Thursday, June 10, 2021**

\$55

ATTENTION!

Trustees of Trust Funds

Cemetery Trustees

Municipal trustees—cemetery trustees, library trustees, trustees of trust funds—have very important and varied duties. This introductory virtual workshop is geared to give you the tools you need to perform your duties legally and understandably.

TENTATIVE AGENDA

Thursday, June 10, 2021

- 9:00 am - 9:10 am: Introduction to Charitable Trusts Division
- 9:10 am - 10:40 am: A Little Help From My Friends
Terry Knowles, Emeritus Assistant Director
- 10:40 am - 10:45 am: Break
- 10:45 am - 12:15 pm: Governance and Right-to-Know Law
- 12:15 pm - 12:30 pm: Lunch
- 12:30 pm - 2:00 pm: Trust Fund Administration

FOR ADDITIONAL DETAILS AND REGISTRATION

Please call us at 603.224.7447 or email us at registrations@nhmunicipal.org.

Ukova

Please Join Us!



**REGISTRATION TO
OPEN IN MAY**

Join Us for Weekly Membership Call



WEEKLY MEMBERSHIP CALL

Please Join Us!



FRIDAYS AT 1:00 PM IN MAY AND JUNE!

NHMA's legal services and government affairs attorneys host a weekly call for municipal officials and employees on municipal issues and concerns. All member officials from member municipalities are encouraged to participate. The purpose of the call is to learn about continuing and new issues municipalities are facing, as well as to try to answer your questions.



[Get TEAMS Invite Here!](#)



*for attending
our workshop
today!*



NHMA'S MISSION

Through the collective power of cities and towns, NHMA promotes effective municipal government by providing education, training, advocacy and legal services.