



NEW HAMPSHIRE'S REGIONAL PLANNING COMMISSIONS

Granite State Future Frequently Asked Questions

Throughout the state, regions and localities are facing difficult decisions about investments in the future. Decision-makers increasingly need to prioritize and make tough choices about transportation and land use, about economic development and resource management, and about housing, public health, energy, and cultural, historic, and natural resources. New Hampshire's Regional Planning Commissions (RPCs) exist to advise and assist their member communities with these challenges. RPCs conduct technical studies and provide data analysis to help local decision-makers in thinking about their individual communities as well as the region.

This document answers frequently asked questions about the legal structure and current status of regional planning in New Hampshire and Granite State Future, which is a project of the nine RPCs in New Hampshire to prepare and update their individual regional plans as required by [NH RSA 36:45](#).

LEGAL STRUCTURE OF REGIONAL PLANNING COMMISSIONS

What are Regional Planning Commissions?

New Hampshire's Regional Planning Commissions (RPCs) are advisory bodies voluntarily formed by their member communities. Established by state law in 1969 by the NH Legislature (RSA 36:45-58), most RPCs were created in the early 1970's. The purpose of the RPCs is to provide technical planning assistance to communities for:

- master plans and other local planning studies,
- fostering regional cooperation among communities, and
- developing comprehensive regional plans for transportation, land use, water resources, housing, economic development, emergency management, energy and other planning topics.

The state is broken out into 9 regions for the purpose of forming RPCs. Communities may choose to be a member of the RPC in their region and participation is voluntary. Presently 91% of New Hampshire municipalities are members of their RPC.

How are the RPCs governed?

The RPCs are governed and controlled by Boards of Commissioners. Each Commissioner is nominated by their community's Planning Board and appointed by the elected Local Governing Body (Boards of Selectmen, Town/City Council, or Mayors and Aldermen). RPC Commissioners from member communities serve as volunteers and represent their community's interests. Communities may select volunteers, or appointed or elected officials to be their RPC representatives. The term of office is 4 years. Municipal representation on the commission is based on each community's population; communities with a population 10,000 or fewer persons have 2 representatives on the commission, 10,000 - 25,000 up to 3 representatives, and a municipality with a population of over 25,000 up to 4 representatives.

What is the relationship between a RPC and its member communities?

RPCs serve and advise their member communities by providing technical assistance when requested and addressing regional issues identified by the member communities. According to [RSA 36:50](#) RPCs may assist local planning boards within the region to “carry out any regional plan or plans developed” by the RPC and may also “render assistance on local planning problems.” Also, RPCs may make “*recommendations*,” based on its plans and studies, to any planning board, selectmen, town/city council, or aldermen within the region and to any state or federal authorities.

What is the primary duty of an RPC?

Aside from providing requested services to local communities, the primary duty of an RPC is “to prepare a coordinated plan for the development of a region, taking into account present and future needs with a view toward facilitating the most appropriate use of land... the facilitation of transportation and communication... the proper and economic location of public utilities and services; the development of adequate recreational areas; the promotion of good civic design; and the wise and efficient expenditure of public funds.” ([RSA 36:45](#)) The recommendations contained in these plans have no force of law or regulatory effect; they are advisory documents intended to assist communities in developing their own plans and in coordinating with one another.

Communities within each region may consider the advice or recommendations contained in regional plans for their own planning efforts, but are not bound to do so. The RPCs have no authority to diminish or usurp any of the powers given to local government under New Hampshire laws and constitution. Fortunately, the enabling statute is crystal clear about this: “A regional planning commission’s powers shall be advisory, and shall generally pertain to the development of the region within its jurisdiction as a whole. Nothing in this subdivision shall be deemed to limit any of the powers, duties or obligations of planning boards in individual municipalities.” ([RSA 36:47](#)) That said, for more than 40 years, many communities in New Hampshire have found the RPC advice and technical planning services to be very valuable. Planning as a region, especially for issues that cross municipal boundaries such as transportation, environment, economic development and impacts from land use planning, helps communities to grow into the places that they aspire to become.

What is included in a regional plan?

In order to provide a readily available source of information for local communities’ master plan updates and community requested planning services, individual regional comprehensive plans may use the framework of both the state development plan as spelled out in [RSA 9:A](#), and of local master plan as provided in [RSA 674:2](#). That framework includes the following elements:

- Overall vision
- Land use and regional concerns
- Housing (including a housing needs assessment and fair housing equity assessment)
- Transportation
- Economic development
- Natural, cultural and historic resources and recreation
- Utility and public service (including water infrastructure)
- Public facilities (including energy efficiency and green building)
- Natural hazards (including climate change impact assessments)
- Implementation

What are the goals of regional plans?

The specific goals for each regional plan are determined by the collective wishes of the communities involved. Common goals found in many local and regional master plans across the state include: building a foundation for long-term economic success and community livelihood, connecting reliable transportation, safe and affordable housing, and job opportunities regionally and statewide. Additional goals commonly considered are:

- Protect NH's unique beauty and character
- Wisely invest limited financial resources
- Protect rural character and vibrancy of urban centers ("Keep the city in the city and the country in the country")
- Increase prosperity and economic opportunity
- Create safe places to live
- Conserve our natural and social resources

Another goal of regional planning is to help communities find ways in which they can address issues of common concern and save money. When communities pursue common initiatives collectively, the economies of scales often tip in their favor.

Regional plans provide policy and decision makers throughout the state with a picture of what the residents and communities in each region value, what they want for the future and their ideas for getting there. Regional planning increases efficiencies and provides benefits for New Hampshire's taxpayers.

What are the requirements for local input into the regional plan?

By state law, each RPC is required to "make a good faith effort to inform and respond to their local communities" when developing the regional plan ([RSA 36:47,IV](#)). Prior to adoption, draft plans are distributed to each library, planning board, and board of selectmen/aldermen/city council in each of the communities within the region. The RPCs then document all written comments received prior to publication of a final draft. Once the final draft is available, each RPC holds a public hearing on the plan. A public notice is published in all newspapers of general circulation in the region no less than 30 days before the hearing, and states where the document can be viewed, announces the time and place of the public hearing, and requests written comments. Following the public hearing, the plan may be adopted by the RPC's board of commissioners and then filed with each planning board in the region ([RSAs 36:47,III and 36:50](#)).

How does participation in the regional planning process benefit local planning efforts?

The regional planning process creates a forum for municipalities to communicate and collaborate with their neighboring communities. This can serve to identify significant cost saving opportunities where economies of scale can be achieved through collaboration where municipal interests converge, or to identify and resolve potential conflicts where municipalities may be working at odds with one another.

Municipal participation in the development of an RPC's regional plan is essential to having a plan that is reflective of and relevant to local priorities. Towns and cities are asked to join in the regional visioning process, advise the development of regional policies, identify strategies and prioritize implementation measures to achieve the goals identified in their Regional Plan. There is no obligation for municipalities to collect data or undertake any local expense. Instead, the work of the RPC saves costs for

municipalities when they decide to update their own local master plan. Much of the information and data needed for local master plans is already collected within the regional plan. The regional plan provides a starting point for municipalities to be able to quickly identify and delve deeper into local issues and opportunities. The many comments and public input that each RPC collects are also incorporated in its plan and passed along to local officials to aid in local planning policy decision making.

Local planning boards have the option of adopting all or any part of a comprehensive regional plan as its own master plan, provided it meets the local master plan requirements in [RSA 674:1-4](#) ([RSA 36:50](#)).

GRANITE STATE FUTURE PROJECT

What is the Granite State Future Project?

Granite State Future (GSF) is a project of the nine regional planning commissions (RPCs) in New Hampshire to prepare and update their individual regional plans as required by [NH RSA 36:45](#) (see above for information on regional plans). Each region will work on developing its own plan, but will coordinate efforts by sharing data and research across regions. At the end of the project, the citizens of New Hampshire can determine the relative priorities of different subjects across the state, and get a good statewide snapshot of what is important.

What will the GSF regional plans address?

Under the GSF project, each of the RPCs will follow the existing NH State Statutes for regional plans and use a narrative approach to relating what was heard during the planning process. These regional stories will be accompanied by thoughtful technical analyses – regional housing needs assessment, fair housing and equity assessment, transportation, water infrastructure (utility and public service), economic development, climate change impacts assessments (natural hazards), energy efficiency and green building – all issues identified by the regions as important to understand in thinking through their future.

What are some of the basic principles guiding the work?

Under the GSF project, each of the regional plans will consider the [New Hampshire Livability Principles](#), a set of concepts which provides a common framework for all nine regional plans. The Livability Principles encompass:

- Traditional Settlement Patterns & Development Design
- Housing Choices
- Transportation Choices
- Natural Resource Functions & Quality
- Community and Economic Vitality
- Climate Change and Energy Efficiency

These principles reflect NH's State Economic Growth, Resource Protection, and Planning Policy principles that are enumerated in [RSA 9-B](#).

What is the timeframe for plan development?

This coordinated effort, over a three-year period, will result in nine separate regional plans, developed by the residents and communities in each region, and will provide for a statewide snapshot of regional priorities and visions for New Hampshire's future. The project, to be completed by January 2015, has three phases: data gathering and analysis, public engagement, and plan writing.

What is the current status of the regional plans?

The RPCs are well into the data gathering phase – compiling existing plans, demographics, statewide statistics, and reviewing other important documents. RPCs have also been meeting with state agencies and other statewide organizations to understand the overarching policies, laws and other influences that have shaped New Hampshire’s landscape and economy.

The RPCs have also begun the critical phase of engaging local officials, residents and communities in looking at the big picture to consider the impacts of land use and transportation on our economic development, health, public infrastructure, and natural and cultural resources. Over the coming year (2013), RPCs will work with local communities to think through desired future development, and identify and prioritize infrastructure and other implementation projects that support local and regional values.

What are the final anticipated products?

The final products will be 9 regional plans and a statewide snapshot. The regional plans will identify implementation actions that balance community needs and identify the most efficient use of limited government resources for future infrastructure and community investments, making wise use of limited financial resources. The statewide snapshot, to be developed in late 2014, will highlight the regional recommendations and implementation projects, and provide policy-makers with an evaluation of existing statewide policies and options for the future.

What possible outcomes will the plans evaluate?

During the planning process, the RPCs will consider a series of outcomes, meaning what will be the result if the plans are implemented. The plans will consider the potential impacts of various development policies on communities and the region, and discuss how these fit with the values and goals of local plans, the regions and the state.

Below is a list of the types of outcomes that will be evaluated:

- Create regional transportation, housing, water, and air quality plans that are deeply aligned and tied to local comprehensive land use and capital investment plans.
- Align federal planning and investment resources that mirror the local and regional strategies for achieving sustainable communities.
- Increase participation and decision-making in developing and implementing a long range vision for the region by populations traditionally marginalized in public planning processes.
- Reduce social and economic disparities for the low-income, minority communities, and other disadvantaged populations within the target region.
- Decrease per capita VMT and transportation-related emissions for the region.
- Decrease overall combined housing and transportation costs per household.
- Increase the share of residential and commercial construction on underutilized infill development sites that encourage revitalization, while minimizing displacement in neighborhoods with significant disadvantaged populations.
- Increased proportion of low and very low income households within a 30-minute transit commute of major employment centers.

These listed outcomes largely correlate with NH’s State Economic Growth, Resource Protection, and Planning Policy or adopted “smart growth” principles ([RSA 9-B](#)) and to the most common goals and principles that are reflected in existing local master plans across the state.

It is important to keep in mind that outcomes occur only when plans are implemented. For example, local master plans analyze data and propose recommendations for zoning changes, but alone have no force or effect of law. The Planning Board must propose changes to the zoning ordinance and the municipal legislative body must vote to adopt those changes. When development occurs under the provisions the zoning ordinance that is what is considered an outcome. For regional plans, the implementation mechanism is the same. RPCs have no authority to change local zoning or statewide policy. The plans make recommendations but only local communities or the NH Legislature may implement changes to land use policy and regulations.

The term “mandatory outcomes” used by the Department of Housing and Urban Development (HUD), who provided funding to the RPCs for the purpose of creating regional plans (see the next section for more details), requires that RPCs consider and evaluate a certain number of policy outcomes. HUD recognizes that diverse regional experiences exist across the country. As such, the agency is allowing significant latitude for regions to set the parameters for the desired outcomes resulting from adoption of a regional plan. Ultimately, RPCs adopt the priorities and outcomes that are appropriate for their regions.

To clarify, HUD has no oversight authority to determine the recommendations or policies established in each regional plan. The RPCs have committed to consider and evaluate the mandatory outcomes list because they are valuable principles to consider when applied in the context of New Hampshire’s regions and the challenges facing the state today. Plans, whether, regional, local or state in origin, are collections of data, findings, analyses, needs statements, ideas, goals and recommendations to achieve the identified goals. Plans do not dictate outcomes. It is up to each of the communities in the region and the regional planning commissions to determine how or if these livability principles and outcomes may be realistically achieved.

GRANITE STATE FUTURE FUNDING

How are the regional plans funded?

Historically, due to a lack of resources, regional plans have not been updated regularly and are inconsistent between regions. In 2011, the RPCs jointly applied for and were awarded a \$3.37 million HUD Sustainable Communities Regional Planning Grant to carry out their legislated duty, believing that a coordinated effort would be a more efficient use of resources. These are highly competitive grant awards - less than 10 percent of applicants received awards through this program.

Why are the nine RPCs sharing one grant?

The nine regions applied jointly to fund the individual development of each region’s plan because doing so in one simultaneous statewide process provides broader benefit to our communities, particularly those that may border other regions. Additionally, partnering together improved the overall chance of success when competing for funding and meant that the RPCs would not have to compete against one another. By partnering, the 9 regions are able to achieve other cost efficiencies by sharing the cost and burden of common elements such as development of outreach resources, conducting baseline research, and collecting information from our state agencies and non-profits. Additional efficiencies include the recognition that there is an abundance of existing resources and data at the statewide level and the RPCs have asked state agencies and other organizations to participate in one coordinated process that will inform all the regions about statewide plans and policies at once rather than at 9 different times.

The shared grant allows NH's RPCs to update their individual, independent, regional plans. Much like when the RPCs or municipalities accept hazard mitigation funds from FEMA or contamination cleanup funds from EPA, the RPCs maintain their independence from the federal funding source or agency. The HUD SCI is a funding source that enables the RPCs to carry out one of our key statutory mandates under state enabling law and maintain local individuality.

The RPCs have named their collaborative efforts under this grant "[Granite State Future](#)" (GSF).

How are the RPCs coordinating their efforts under GSF?

Nashua Regional Planning Commission (NRPC) as the primary applicant for the grant is the only entity that has a direct cooperative agreement with HUD. The eight other RPCs and a limited number of other organizations such as the University of New Hampshire and the Department of Environmental Services have a sub-contract for funding with NRPC. Sub-contracts for funding contain "flow down" provisions, meaning that NRPC is obligated to ensure that sub-contractors comply with the requirements of the grant reporting provisions as set forth in the terms and conditions of the HUD contract or as established by NRPC. For the RPCs, the subcontracts provide a mechanism to keep all RPCs moving forward in a coordinated manner and ensure proper financial controls are in place. Additional subcontracts will be created as needed for services to share and supplement RPCs internal expertise.

How does a contract with NRPC or HUD impact the planning process?

NRPC has the responsibility to ensure that each RPC complies with contractual requirements with respect to appropriate use of the funds and the completion of work program. Neither HUD nor NRPC has control over the final content of the regional plan adopted by a Regional Planning Commission. By statute, the individual RPCs alone have the authority to adopt their regional plans ([RSA 36:47,III](#)).

What role does HUD play in the administration of the planning grant?

According to the terms of the cooperative agreement between HUD and NRPC, HUD is obligated to review the study design and work plan, review and provide recommendations in response to bi-annual progress reports (e.g., amendments to study design based on preliminary results), review and provide recommendations on the final report/study, including final interpretation of study results. In addition, HUD may review the qualifications of NRPC's key personnel, and they are expected to be substantially involved in the oversight of the expenditure of funds.

HUD will not and cannot mandate the content or interpretations of RPC work. The terms and conditions of the contract with HUD specifically state that in the review and acceptance of deliverables, HUD may not require any change in the Grantee's stated views, opinions, or conclusions. In fact, all final draft documents published must include the following statement:

"The work that provided the basis for this publication was supported by funding under an award with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Government."

This is a competitive discretionary grant program which the RPCs applied for. As is true for every other federal and state grant program, rules, standards and oversight ensure that the RPCs fulfill the grant requirements. NRPC is obligated to file various semi-annual reports using standard federal forms,

including the HUD Logic Model, to document progress and track the connections between goals, objectives and outcomes. Granite State Future is expected to be accountable to HUD for delivering what was promised; taxpayers should expect no less.

What is the Partnership Agreement?

As a requirement of the grant application, RPCs were required to demonstrate support from local communities for regional planning. Many communities submitted letters of support and pledged to sign a Memorandum of Understanding to participate in the regional planning process if the grant were awarded. At the time of application, the term memorandum of understanding was used as the most recognizable term and common way of documenting an agreement between the RPCs and municipalities and other statewide partners.

Instead of calling the commitment to participate a “Memorandum of Understanding” the RPCs chose to call it a “Partnership Agreement.” The word “Partnership” best represents the RPC organizational structure given that 9 separate regions are working under one grant. This term also better describes the simple request for participation made of local municipalities. Given HUD’s flexibility in allowing each of its grantees to best customize the grant requirements to meet our individual regional needs, we were fully supported in choosing to call our commitment to participation a “Partnership Agreement” rather than a Memorandum of Understanding or a “Consortium Agreement”, which was another HUD term.

What benefits are there to municipalities who sign the partnership agreement?

The Partnership Agreement is an opportunity for municipalities and other project partners to state their commitment to participate in the planning process. HUD has asked for statements of commitment, given the competitive nature of the grants, to ensure that there is an existing local commitment where Federal funds are made available.

Communities that participate in the current regional plan development process are also eligible to receive [“Preferred Sustainability Status”](#) when applying for many federal grants for projects that will both further the regional plan and the federal livability principles. This means that they receive “bonus points” or other preferential status when competing for Federal grant funding.

Municipalities engaged in the planning process only stand to benefit from being engaged in their regional plan’s development. There is no risk to a municipality in participating or obligation to follow the recommendations of the regional plan. It remains an advisory document, just as RPCs are advisory bodies. The greater risk comes from not participating and not having each community’s voice reflected in the outcome of the plan.

What does the partnership agreement ask of municipalities?

The agreement states that towns and cities will help develop a regional vision, policies, and strategies, and prioritize identified implementation measures; essentially what a municipality would already do as a member of a RPC. Municipalities need not sign the partnership agreement to participate in the regional planning process; however, it is a positive affirmation of the commitment communities have to working together. The only commitment the RPCs ask is of a modest amount of time, whether from volunteers or paid staff, time to attend meetings and provide other input as they are available.

It is important to note that the Partnership Agreement is not a sub-contract for funding under the grant, and therefore does not carry with it any “flow-down” provisions from the terms and conditions of the

HUD grant with NRPC. There is no financial, staff time or other commitment, or an obligation adopt or implement any of the ideas, goals or implementation items identified in the final regional plan. As previously stated, the regional plan is intended to identify and prioritize development needs in the region and provide a suite of resources for municipalities to use as appropriate to help coordinate their individual plans and projects.

What does the partnership agreement ask of statewide partners?

Many state agencies and non-profit organizations have offered to participate in the larger statewide coordination efforts of Granite State Future, recognizing it as a singular coordinated opportunity to provide direct assistance to the RPCs rather than having to do so nine separate times. Each of the entities that submitted a letter of commitment as part of the RPCs application estimated the value of the time they expected their staff might contribute to the process.

For these statewide partners, the partnership agreement asks that each participate in the cooperative effort by actively engaging in the statewide advisory technical committees, sharing expertise about ongoing statewide programs, and informing RPCs about recent findings and recommendations of plans that can inform the work at the regional and local levels.

Where can I get more information or find out how to become more involved?

Interested individuals and communities should contact their [regional planning commission](#) to learn more about their regional plan. For specific details about the Granite State Future, please see www.granitestatefuture.org or contact your local Regional Planning Commission.

Nashua Regional Planning Commission, as the lead recipient, may be contacted for more information about statewide coordination and the status of the overall HUD grant.

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Full listing of RPC's continues on next page.

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