



The Master Plan in New Hampshire

In every part of New Hampshire, the values and character of its citizens are reflective of, and reflected in, the communities they call home. A master plan presents an opportunity to document those values, prepare a strategy to apply them to town codes and land use designations, and most importantly, to structure community goals and objectives around them. A master plan is a planning document that guides the overall character, growth and development of a community. It represents a foundation to aid community officials when making decisions related to land uses, budgets and capital improvements.



"Even if you're on the right track, you'll get run over if you just sit there."

New Hampshire state law (RSA 674:2 I) provides that *"The purpose of the master plan is to set down as clearly and practically as possible the best and most appropriate future development of the area under the jurisdiction of the planning board, to aid the board in designing ordinances that result in preserving and enhancing the unique quality of life and culture of New Hampshire, and to guide the board in the performance of its other duties in a manner that achieves the principles of smart growth, sound planning, and wise resource protection."*

In New Hampshire, a master plan is *not* a legal document, and it is not required under the law. However, communities are required to have a master plan in effect in order to exercise several basic land use controls, including in order to adopt a zoning ordinance or historic district. New Hampshire municipalities began adopting master plans as early as the 1940s and today nearly every municipality in the state has adopted one.

According to New Hampshire state law, a master plan must include, at a minimum, two mandatory sections; a Vision chapter, which should direct all chapters of the plan, and a Land Use chapter. The state requires that each chapter include certain provisions:

Vision

"This section shall contain a set of statements which articulate the desires of the citizens affected by the master plan, not only for their locality but for the region and the whole state. It shall contain a set of guiding principles and priorities to implement that vision."

Land Use

"This section shall translate the vision statements into physical terms. Based on a study of population, economic activity, and natural, historic, and cultural resources, it shall show existing conditions and the proposed location, extent, and intensity of future land use."



"One distinguishing characteristic of really civilized men is foresight.. if we do not exercise that foresight, dark will be the future."

Additionally, RSA 674:2 III provides that a master plan may also include some combination of 14 additional and optional sections, ranging from topics like transportation and housing to energy and community design (a complete description of each chapter area, including statutory language, is included on the following pages).

It is important to note that master plans in New Hampshire are advisory in nature, and are not legally binding. As such, New Hampshire courts have ruled that provisions of a master plan are not sufficient by themselves to deny development applications. However, the New Hampshire Supreme Court has recognized objectives and analysis included in town master plans as helping to validate town ordinances (*Patenaude v. Town of Meredith*). Similarly, there is no requirement that a master plan be updated within any designated amount of time, however it is important that master plans are responsive to current conditions and it is highly advised that they are updated within 5-10 years.

Communities should make their master plans, and not their zoning ordinances, the central guiding principle in land use planning. In doing so, zoning should implement provisions of the master plan and efforts should be made to ensure that land use controls, ordinances and zoning requirements are consistent with, and accommodating of, the goals and vision outlined in the master plan. While consistency is best practice, in instances of conflict between the zoning ordinance and master plan, the zoning ordinance will prevail as it is a legal document adopted by the local legislative body.



New Hampshire RSA 674:2 III provides statutory guidance to communities regarding issues and topics to address in each of the 14 optional chapters of the Master Plan. This guide includes and paraphrases language found in that legislation.



Natural Resources



Identifies and inventories any critical or sensitive areas or resources, including those shared with abutting communities. Provides a factual basis for any land development regulations that may be enacted to protect natural areas. Identifies any conflicts between other elements of the master plan and natural resources, as well as conflicts with plans of abutting communities.



Transportation

Considers all pertinent modes of transportation and provides a framework for both adequate local needs and for coordination with regional and state transportation plans. Suggested items to be considered may include but are not limited to public transportation, park and ride facilities, and bicycle routes, or paths, or both.



Natural Hazards

Documents the physical characteristics, severity, frequency, and extent of any potential natural hazards to the community. It should identify those elements of the built environment at risk from natural hazards as well as extent of current and future vulnerability that may result from current zoning and development policies.



Cultural and Historic Resources

Identifies cultural and historic resources and protects them for rehabilitation or preservation from the impact of other land use tools such as land use regulations, housing, or transportation. Such section may encourage the preservation or restoration of stone walls, provided agricultural practices, as defined in RSA 21:34-a, are not impeded.



Regional Concerns

Describes the specific areas in the municipality of significant regional interest. These areas may include resources wholly contained within the municipality or shared with neighboring municipalities. Items to be considered may include public facilities, natural resources, economic and housing potential, transportation, agriculture, and open space. Intent is to promote regional awareness in managing growth.



Housing

Assesses local housing conditions and projects future housing needs of residents of all levels of income and ages in the municipality and the region as identified in the regional housing needs assessment performed by the regional planning commission pursuant to RSA 36:47, II, and which integrates the availability of human services with other planning undertaken by the community.



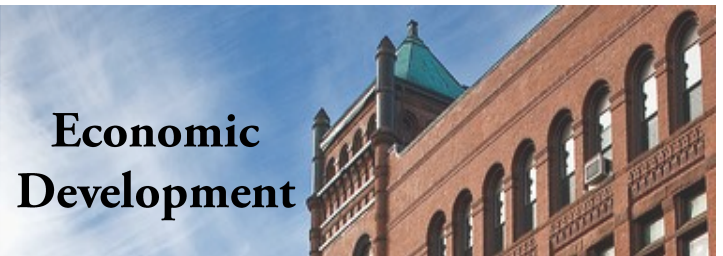
Implementation

A long range action program of specific actions, time frames, allocation of responsibility for actions, description of land development regulations to be adopted, and procedures which the municipality may use to monitor and measure the effectiveness of each section of the plan.



Community Facilities

Identifies facilities to support the future land use pattern of subparagraph II(b), meets the projected needs of the community, and coordinates with other local governments' special districts and school districts, as well as with state and federal agencies that have multi-jurisdictional impacts.



Economic Development

Proposes actions to suit the community's economic goals, given its economic strengths and weaknesses in the region.



Recreation

Documents existing recreation areas and addresses future recreation needs.



Utilities

Analyzes the need for and displays the present and future general location of existing and anticipated public and private utilities, both local and regional, including telecommunications utilities, their supplies, and facilities for distribution and storage.



Neighborhoods

Focuses on a specific geographical area of local government that includes substantial residential development. This section is a part of the local master plan and shall be consistent with it. *No neighborhood plan may be adopted until after a local master plan is adopted.*



Community Design

Identifies positive physical attributes in a municipality and provide for design goals and policies for planning in specific areas to guide private and public development.



Energy

Includes an analysis of energy and fuel resources, needs, scarcities, costs, and problems affecting the municipality and a statement of policy on the conservation of energy.

It is important to note that all chapters of the Master Plan, save for the Vision and Land Use portions, are optional and may be combined with other sections or disregarded completely. Municipalities enjoy a great deal of autonomy in crafting their master plans and the statute simply provides guidance regarding topics to address in each chapter. The one exception is the Housing chapter, which must, under state law, consider the Regional Housing Needs Assessment drafted by the regional planning commission.



This guide was published by the Nashua Regional Planning Commission. With over 50 years of planning experience in the Nashua Region, the NRPC is a leader in innovative planning strategies that preserve and improve the quality of life in Southern New Hampshire. The commission provides its 13 member municipalities with comprehensive solutions to local land use, transportation, environmental and regional planning issues as well as cutting-edge mapping and data services. NRPC is staffed by a team of professional planners with extensive experience in land use, transportation and environmental planning. The Geographic Information System (GIS) Department is staffed by experienced GIS planners and contains a wide variety of specialized data sets. NRPC's ability to collaborate with multiple parties results in planning that is innovative, inclusive, technically sound and driven by public participation.

If your community requires assistance in drafting its master plan, the Nashua Regional Planning Commission is ready to help. The NRPC has decades of experience in helping its member communities draft their master plans. Visit our website for a more comprehensive list of services that NRPC can provide your community at www.nashuarpc.org or call (603) 424-2240 to speak with one of our planning professionals.



This guide was prepared by the Nashua Regional Planning Commission with support from the New Hampshire Office of Energy and Planning.