

HB 1259 - AS INTRODUCED

2016 SESSION

16-2216

03/09

HOUSE BILL **1259**

AN ACT relative to liability for third party review of site plans.

SPONSORS: Rep. Howard, Belk. 8; Rep. Cheney, Straf. 17; Rep. Beaudoin, Straf. 9

COMMITTEE: Municipal and County Government

ANALYSIS

This bill exempts certain applicants to the planning board from liability for costs of third party review.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT relative to liability for third party review of site plans.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Planning Board; Payment for Third Party Review. Amend RSA 676:4-b, I to read as follows:

2 I. A planning board reviewing a subdivision plat, site plan, or other land use application
3 may require the applicant to reimburse the board for expenses reasonably incurred by obtaining
4 third party review and consultation during the review process, provided that the review and
5 consultation does not substantially replicate a review and consultation obtained by the zoning board
6 of adjustment, ***and provided further that no reimbursement shall be required for third***
7 ***party review of a site plan designed by a licensed engineer that only pertains to one lot.***
8 The applicant may request the planning board choose a different third party consultant and the
9 request may include the name of a preferred consultant. The planning board shall exercise
10 reasonable discretion to determine whether the request is warranted. When such a request is
11 granted by the planning board, the 65-day period for the board's action on an application stated in
12 RSA 676:4, I(c)(1) shall be extended 45 days to provide the board adequate time to identify a
13 different consultant.

14 2 Effective Date. This act shall take effect 60 days after its passage.