

2017-02-22

*On sb 169
Bob's letter is pasted below.
Looks like the bill did get re-referred to committee.*

Official Docket of SB169:

<i>Date</i>	<i>Body</i>	<i>Description</i>
1/24/2017	S	<i>Introduced 01/19/2017 and Referred to Public and Municipal Affairs; SJ 5</i>
2/1/2017	S	<i>Hearing: 02/08/2017, Room 102, LOB, 10:30 am; SC 9</i>
2/16/2017	S	<i>Committee Report: Rereferred to Committee, 02/23/2017; Vote 5-0; CC; SC 11</i>

Dear Public and Municipal Affairs Committee,

I am writing to express my alarm at SB169 regarding agritourism. I believe the bill is currently with your committee for further study.

The changes proposed in SB169 appear to have two essential effects:

1. Broadening the scope of the definition by removing the description of agritourism as an ACCESSORY use, apparently promoting it to a primary use.
2. Voiding any local control of agritourism.

Having served in local public office for many years I find the implicit contempt for local government an affront. The Planning Board in my town has enjoyed the respect and confidence of our voters for many years. The community has repeatedly confirmed this trust with compelling majority approval of all zoning ordinance revisions presented during the past many years. Planning Board decisions are rarely challenged and none have been overturned in my memory. Sometimes local boards do get things right.

Madbury has recently confronted the agritourism-related changes resulting from the last legislative session by convening a study group consisting of Planning Board members and a farm owner with strong interest in such use. Our Town Meeting Warrant this year includes the resulting Zoning Ordinance change proposal for voters' consideration (text attached). This revision would define agritourism very broadly, including pretty much anything relevant that we could think of, while making the implementation details subject to Planning Board review through the conditional use permit process. The review process preserves the Town's authority and responsibility to protect public health and safety and the rights of neighbors while the broad definition opens the door to flexible utilization of farm resources.

The Zoning Ordinance change proposal recognizes the particular relationship of agricultural and residential land uses in Madbury. Most of the town is a single Residential and Agricultural District. Where agricultural use once prevailed, residential use now predominates. Our Zoning Ordinance needs to provide for harmonious coexistence of these two uses.

The sledge hammer one-size-fits-all language proposed in SB169 implies that local governments are not capable or trustworthy in resolving the issues related to agritourism. This approach undermines the body of state law empowering local zoning (e.g. RSA674:14 II) and conscientious efforts to manage public affairs efficiently and effectively at the local level.

Quit making state zoning laws!

Robert Sterndale
Selectman
Madbury

cc: local state representatives, NHMA, Madbury officials