

MEMORANDUM OF UNDERSTANDING

Between

The University of New Hampshire

And

The Town of Durham

Regarding

Long-Range Planning Coordination and Communication

Preamble

In 2002 the University and the Town established a mutual process of coordination and communication regarding planning for University projects to facilitate a more cooperative and collaborative approach. This process was memorialized by an exchange of letters which are included as Attachment A. While this process was focused on the requirements of RSA 674:54, the section titled “Step Two: The Bigger Picture” provides for the UNH Vice President for Finance and Administration (VPFA), UNH Executive Assistant and Town Administrator to review projects in order to identify any issues that may be related to the project and have an impact on Town-Gown relations. This agreement was successfully implemented and continues to guide the working relationship between the Town Planner and University Director of Campus Planning. However, the 2002 process, and particularly the provisions of Step Two: The Bigger Picture, is in need of updating to reflect current UNH internal assignment of responsibility and to reflect coordination and communication practices around property purchases and long-term planning that have emerged since 2002.

Understanding

1. The primary points of contact for review of potential Town-Gown issues arising from UNH planning will be the Town Administrator and the UNH VPFA.
2. The Town Administrator will continue to advise the VPFA of long-term planning issues that may have impact upon the University of New Hampshire. The VPFA will continue to advise the Town Administrator of potential UNH property purchases within the Town of Durham. The VPFA and the Town Administrator will provide as much notice as reasonably practical and will enter into good faith discussions regarding the potential impacts of planning issues or acquisitions on the collective community.

3. The Town has historically provided the UNH Director of Campus Planning with a seat on its Master Plan Advisory Committee and UNH has historically included the Town Administrator with a seat on its Master Plan Steering Committee, and both entities commit to continuing to do so in the future.
4. The Town has historically included a representative from UNH as part of its Traffic Safety Committee and UNH has historically included a representative from the Town on its Transportation Policy and Real Property Committees, and both entities commit to continuing to do so in the future.
5. All other provisions of the 2002 process remain in effect.

TOWN OF DURHAM

Jessie Berry

Witness

Todd Selig

Todd Selig
Town Administrator

3/22/16

Date

UNIVERSITY OF NEW HAMPSHIRE

Jean Richard

Witness

Christopher Clement

Christopher Clement
Vice President for Finance
and Administration
University of New Hampshire

4/7/2016

Date

ATTACHED

- A. 2002 Exchange of Letters regarding the Process for Coordination and Communication Between UNH and Durham regarding RSA 674:54 6/14/02

**Process for Coordination and Communication between UNH and Durham
Regarding RSA 674:54
6/14/02**

The University of New Hampshire is subject to RSA 674:54, which requires that the Town of Durham receive written notification of any proposed change of use of University property within the borders of the Town at least 60 days prior to the beginning of construction. Upon receipt of that notice, the Town may schedule a public hearing within 30 days and give its non-binding comments to the University within the following 30 days. In accordance with the Town's Zoning Ordinance, that public hearing is held by the Planning Board.

In order to facilitate a more cooperative and collaborative approach to this process, administrators of UNH and the Town of Durham have agreed to the following steps for any project that triggers RSA 674:54:

Step One: The Planners

The Campus Planner (currently Doug Bencks) and the Town Planner* (currently Jim Campbell) will meet at least monthly and share information about current and future projects. When they identify a project that will at some point trigger RSA 674:54, they will:

1. Assemble as comprehensive a list as possible of the issues that will need to be addressed in the public hearing;
2. Develop a proposed timeline for formal notification to the Town; and
3. Send a brief written description of the project, along with information in 1 and 2 above, to the UNH VPFA, UNH Executive Assistant to the President, and the Durham Town Administrator.

Step Two: The Bigger Picture

The UNH VPFA, UNH Executive Assistant to the President, and the Durham Town Administrator will review the project in order to identify any issues that may be related to the project and have an impact on Town-Gown relations. This group will determine what special steps, if any, need to be taken to ensure coordination and communication beyond the Planning Board.

Step Three: Preliminary Reports to the Planning Board

The Town Planner will include factual information about University projects in their formative stages in his regular reports to the Planning Board. This will enable members of the Planning Board to suggest areas of potential concern, which can be relayed back to the Campus Planner.

* Director of Planning and Community Development

Optional Step Three (A): Design Review

The University may, at its sole discretion on a project by project basis, choose to avail itself of the Preliminary Conceptual Review and/or Design Review processes as described in Durham's Site Plan Review Regulations. These opportunities for discussion of a concept or design with the Planning Board are open to the public, but members of the public are not permitted to speak. Neither the University nor the Planning Board are in any way bound by the content of such a review.

Step Four: Formal RSA Notification

At a time mutually agreed by the Campus Planner and the Town Planner, the University will send written notification to the Town and agree upon a date for the Planning board hearing.

Step Five: Planning Board Hearing

The Campus Planner will present the project to the Planning Board. The presentation will include the reasoning for the University's choice of design/construction process (design build vs. design-bid-build vs. construction management); the information specified in RSA 674:54; and relevant general information on abutter issues, such as setbacks, noise, lighting, hours of operation, traffic, and parking as well as water and sewer impacts, drainage, and other relevant utilities. The Planning Board will offer questions, comments, and suggestions to which the University will give serious consideration.

Step Six: The Feedback Loop

To the extent that there are questions or suggestions left unanswered at the Planning Board hearing, the Campus Planner will follow-up and supply a written response to the Town Planner, who will pass it on to the Planning Board in his regular reports.



TOWN OF DURHAM
15 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-5571
Fax: 603/868-5572

June 19, 2002

Candace R. Corvey
Vice President for Finance and Administration
University of New Hampshire
207 Thompson Hall
105 Main Street
Durham, New Hampshire 03824

Re: **Process for Coordination and Communication between UNH and Durham
Regarding RSA 674:54 – 6/14/02**

Dear Candace:

I am in receipt of the final version of the new Process for Coordination and Communication between UNH and Durham Regarding RSA 674:54 dated June 14, 2002, that we have been developing over the course of the last few months. I, too, am very pleased with the result. It is my sincere hope that this document will lead not only to a more inclusive process with respect to University projects and their impact on the larger Durham community, but also to better projects for all concerned as a result of the serious consideration of input from the Town.

Thank you for working with us to craft this important document. I look forward to speaking with you in the near future.

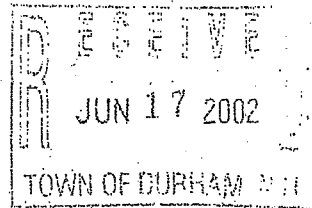
Very truly yours,

Todd I. Selig
Town Administrator

cc: Town Council
Jim Campbell, Director of Planning & Community Development
Durham Planning Board
Durham Conservation Commission
Durham Zoning Board
Thomas Johnson, CEO
Michael Lynch, Public Works Director
Ronald O'Keefe, Fire Chief
David Kurz, Police Chief

UNIVERSITY OF NEW HAMPSHIRE

Office of Vice President for Finance and Administration
207 Thompson Hall
105 Main Street
Durham, New Hampshire 03824-3547
(603) 862-2232



June 14, 2002

Mr. Todd Selig
Durham Town Administrator
15 Newmarket Road
Durham, NH 03824

Dear Todd,

I am writing to transmit to you the final version of the new Process for Coordination and Communication between UNH and Durham Regarding RSA 674:54. We are delighted to have been able to develop this agreement in cooperation with you and Jim Campbell. I have no doubt that in its application both the University and the Town will benefit. I assume that you and Gregg will docket this for informational purposes with the Town-Gown Committee.

With all best wishes,

Sincerely,

CANDACE

Candace R. Corvey
Vice President for Finance and Administration

cc: Joan Leitzel, President
Ann Hart, President Elect
Gregg Sanborn, Executive Assistant to the President
Allan Braun, Assistant Vice President for Facilities
Douglas Bencks, Campus Planner
Jim Cambell, Director of Planning and Community Development
Ed MacKay, Vice Chancellor