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Zoning, Planning and Land Use

Sheehan Phinney's experienced team of land use attorneys counsels clients before Planning Boards, Conservation Commissions, and Zoning Boards of Adjustment in cities and towns across New Hampshire and Massachusetts and are frequently recognized for their ability to handle the complicated and frequently contentious issues in this ever-changing practice area. Our experience handling these cases enables us to identify potential problems, anticipate and head-off challenges to zoning, planning and land use scenarios, and formulate effective strategies to work with local officials, landowners, abutters and developers to reach consensus.

Land use cases also often trigger regulatory issues at the local, state, and national level. Sheehan, Phinney's status as a full-service law firm permits us to draw in attorneys from our environmental, energy, and other practice groups as needed to seamlessly respond to any such issues. Sheehan Phinney's reputation and familiarity with land use issues also allows us unfettered access to the top structural, engineering, and environmental experts needed to win the more difficult cases; and, in the face of unfavorable local decisions, our lawyers have substantial experience and are highly skilled at creating the record needed to successfully prosecute or defend appeals in the Superior Courts and at the New Hampshire Supreme Court.

The Zoning, Planning and Land Use Practice Group handles a wide range of land use cases including:

- Twice defeating efforts to place a Federal halfway house in residential neighborhoods in downtown Manchester, NH
- Defending a summer camp's vested right to continue and expand its nonconforming use of its land
- Defending numerous neighborhood groups against individuals and telecommunications companies attempting to locate cell towers in residential neighborhoods
- Prosecuting or defending efforts to obtain variances and special exceptions from planning and zoning regulations
- Scenic road designations
- Appeals before the Department of Environmental Services (DES) and the NH Wetlands Bureau