



State of New Hampshire
Town of Kensington

95 Amesbury Road
Kensington, NH 03833

To: Kensington Planning Board
From: Owen Corcoran, Land Use Coordinator
Date: August 19, 2023
Re: Certified Mailing Fees for Applicants

Persons submitting applications to the Planning Board (PB) and Zoning Board of Adjustment (ZBA) may be paying more than is necessary under state law to cover the mailing of public hearing notices. Hearing notices are sent from the Kensington Land Use Department via certified mail to the applicant, abutters, and any parties whose official seal appears on any plan submitted to the board. Current certified mail fees are \$4.35, with an additional fee of \$3.55 for a return receipt (the green card affixed to the back of the envelope).

NH RSA 676:4 states that the notifications shall be sent via verified mail. RSA 21:53 defines verified mail as, “any method of mailing that is offered by the United States Postal Service or any other carrier, and which provides *evidence of mailing* [emphasis added].” The Kensington Land Use Department currently sends hearing notices for the PB and ZBA with a return receipt attached. The return receipt provides proof of delivery if there is someone at the address to sign for the notice and the return receipt is sent back to the Land Use Department. Otherwise, the Postal Service will attempt one delivery of certified mail and will hold them at the post office for 15 days before returning them to the sender. However, in accordance with RSA 676:4 and RSA 21:53, sending notices via certified mail without a return receipt could satisfy the requirement for “evidence of mailing”.

All certified mail has an associated tracking number which shows when the item was received and accepted at the post office, when the item is out for delivery, and when the item is either delivered or returned to the post office, thus providing extensive detail on the status of the item (including evidence of mailing). Tracking reports from the Postal Service can be printed and added to application files.

The Kensington Zoning Ordinance requires that notices be sent via certified mail, with no language requiring a return receipt. Eliminating the practice of adding a return receipt to certified mailings could make the land use application process more equitable in reducing applicants’ financial burden.