

2025 LAW CHANGES

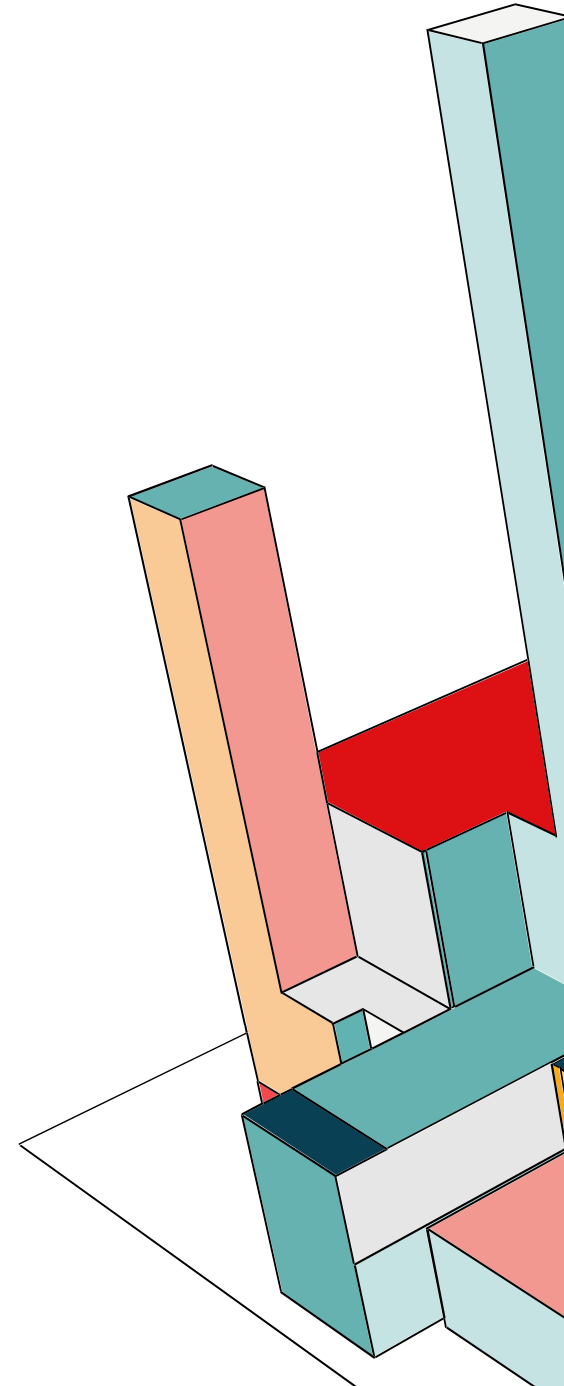
SEPTEMBER 22, 2025

HB 92

Mandates that a Zoning Board of Adjustment member shall recuse himself or herself from voting on matters previously voted upon by the same member while serving as a member of the planning board in a quasi-judicial capacity.

Effective Date: July 23, 2025

Statute Amended: RSA 673:3 by inserting new paragraph V

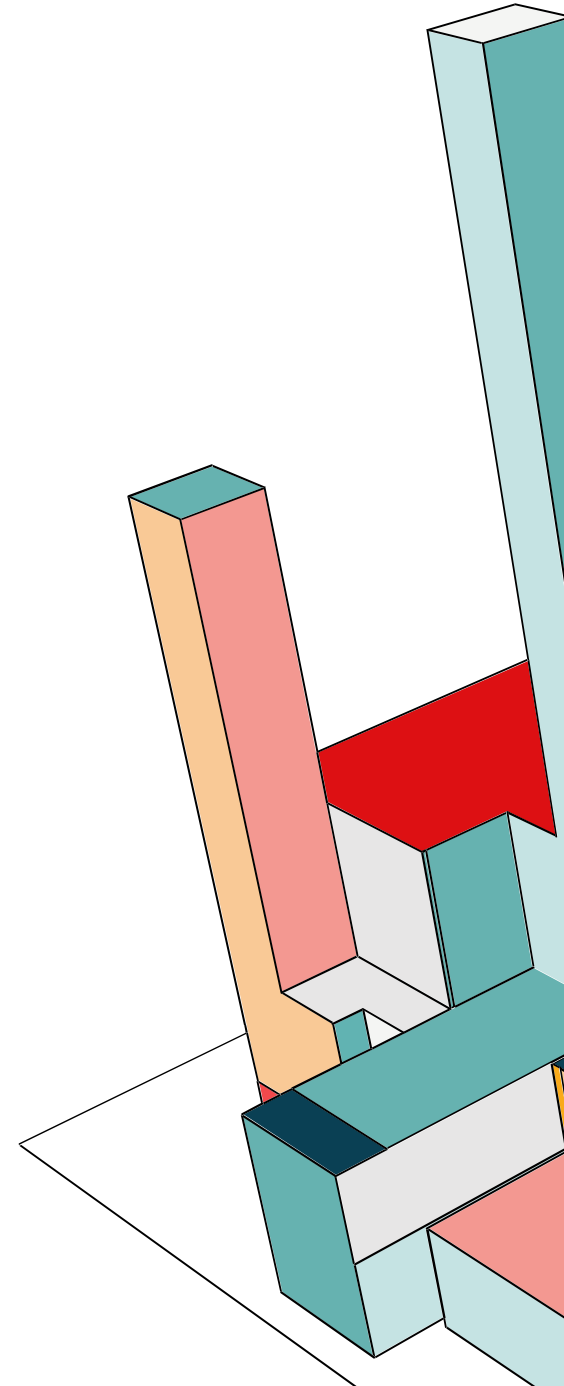


HB 265

Mandates that a public body's meeting minutes include start and end times of the meeting and the printed name of the recording secretary.

Effective Date: August 22, 2025

Statute Amended: RSA 91A:2, II



HB 296

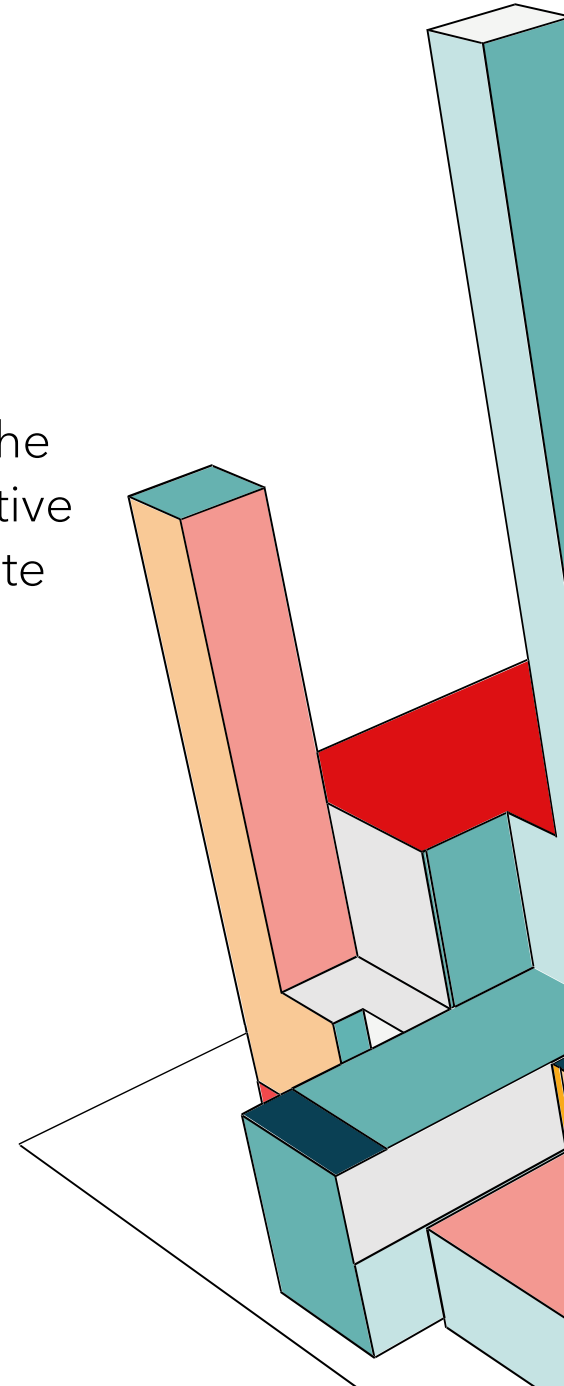
Amends RSA 674:41, building and subdivision on Class VI and Private Roads,

Currently, a building permit for the erection of a building on a Private Road can only be authorized by the local governing body after review and comment by the planning board. This amendment to RSA 674:41, I (d)(1) will allow as an alternative to going to the planning board, the applicant to instead establish that the private road identifies and complies with a policy adopted by the governing body.

Therefore, if the governing body adopts a policy for building on private roads, and the applicant complies with that policy, then planning board input is not required

Effective Date: September 13, 2025

Statute Amended: RSA 674:41, I (d)(1)



HB 296

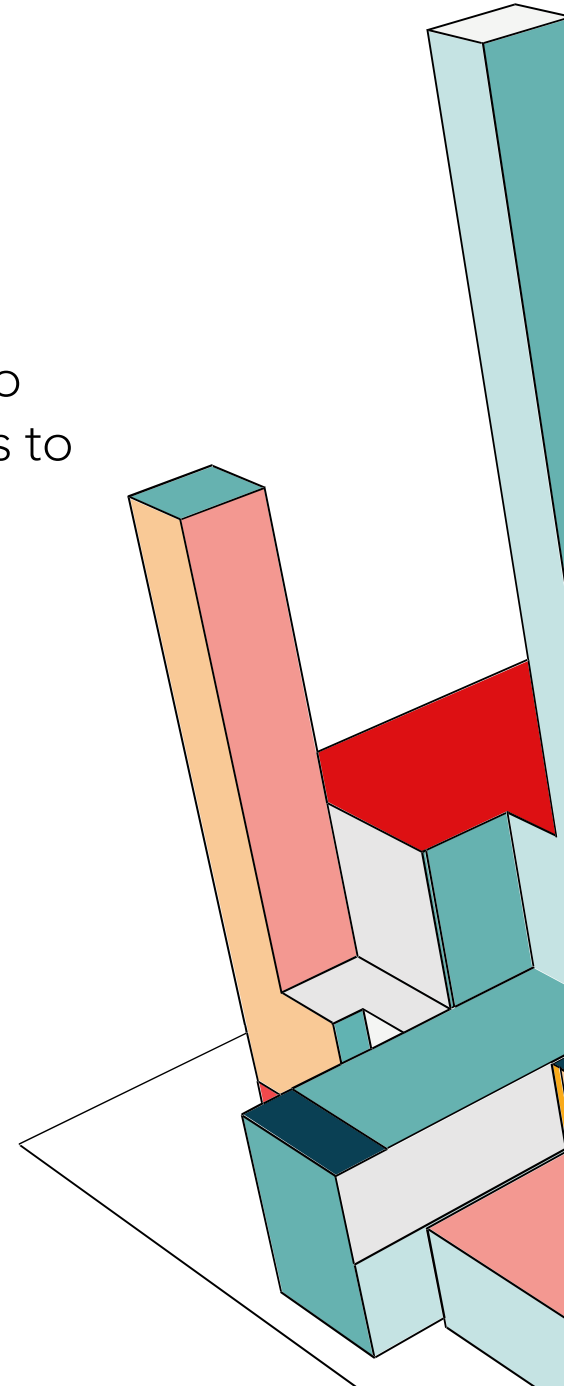
Amends RSA 676:5, appeals to the Zoning Board of Adjustment.

In addition, this bill modifies the statute governing the time for appealing to the Zoning Board of Adjustment. Currently, RSA 676:5, I, states that appeals to the Zoning Board of Adjustment “will be taken within a reasonable time as provided by the rules of the board.”

This amendment changes that appeal period to a standard 30-day period.

Effective Date: September 13, 2025

Statute Amended: RSA 674:41, I (d)(1)



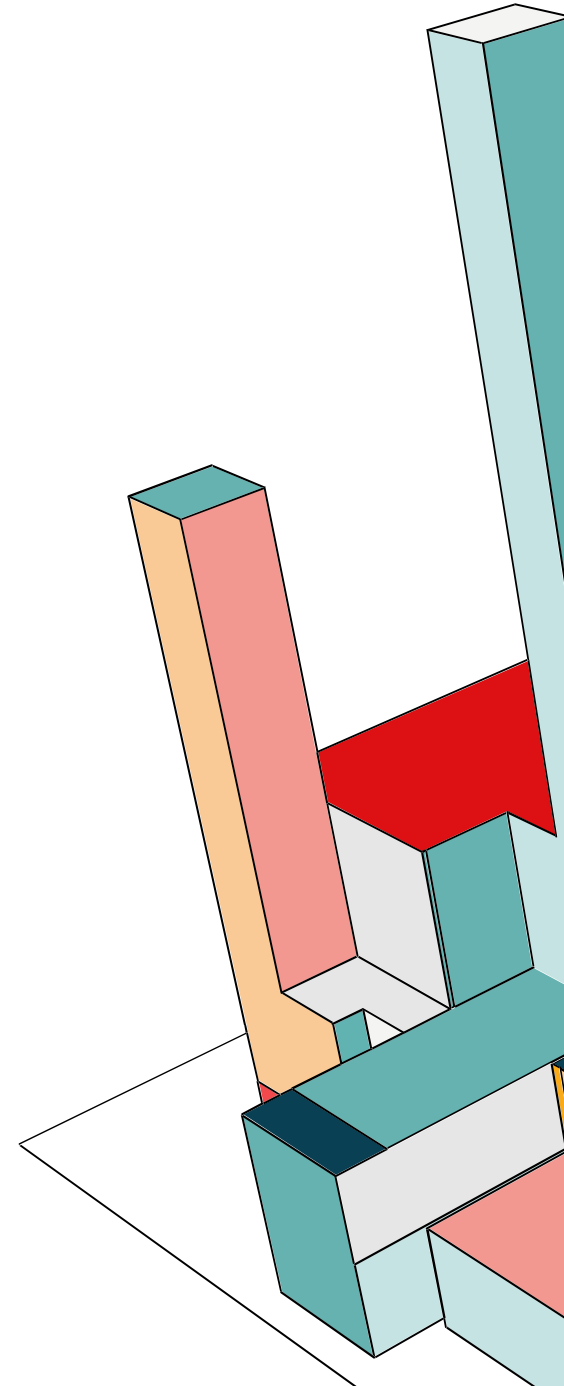
HB 413

Extends the vesting time periods that protect approved subdivision and site plans from changes in local planning and zoning regulations so that substantial work shall commence within 3 years (was 2) of approval, and the project shall be substantially completed within 7 (was 5) years of approval.

The 7-year and 3-year exemption periods shall apply to any planning board approval granted on or after July 1, 2023.

Effective Date: July 1, 2025

Statutes Amended: RSA 674:39; RSA 674:34, I; RSA 155-A:11-b; RSA 478:1-a; RSA 679:5, IV; RSA 673:3, IV



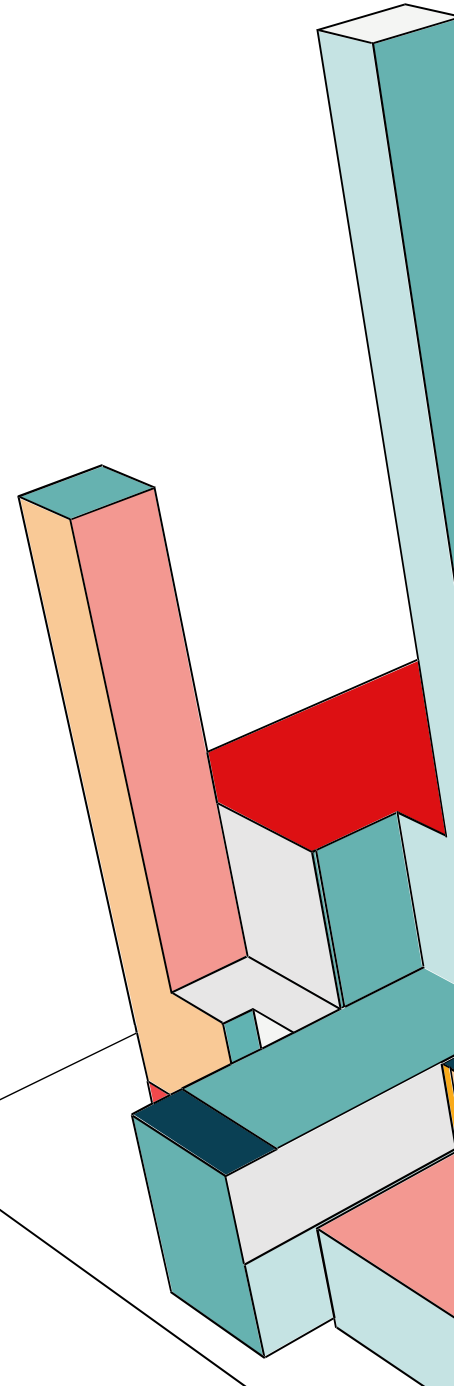
HB 413

Limits the authority of the Zoning Board of Adjustment or Select Board when acting as the building code board of appeals to only hearing appeals involving local amendments to the state building code or state fire code, with all other appeals shall be made to the state building code board of review.

Furthermore, in matters involving a possible appeal to the Housing Appeals Board involving final decisions of a local building code board of appeals, the matter would first have to be appealed to the building code board of review and thereafter could then be appealed to the superior court or the Housing Appeals Board.

Effective Date: July 1, 2025

Statutes Amended: RSA 674:39; RSA 674:34, I; RSA 155-A:11-b; RSA 478:1-a; RSA 679:5, IV; RSA 673:3, IV



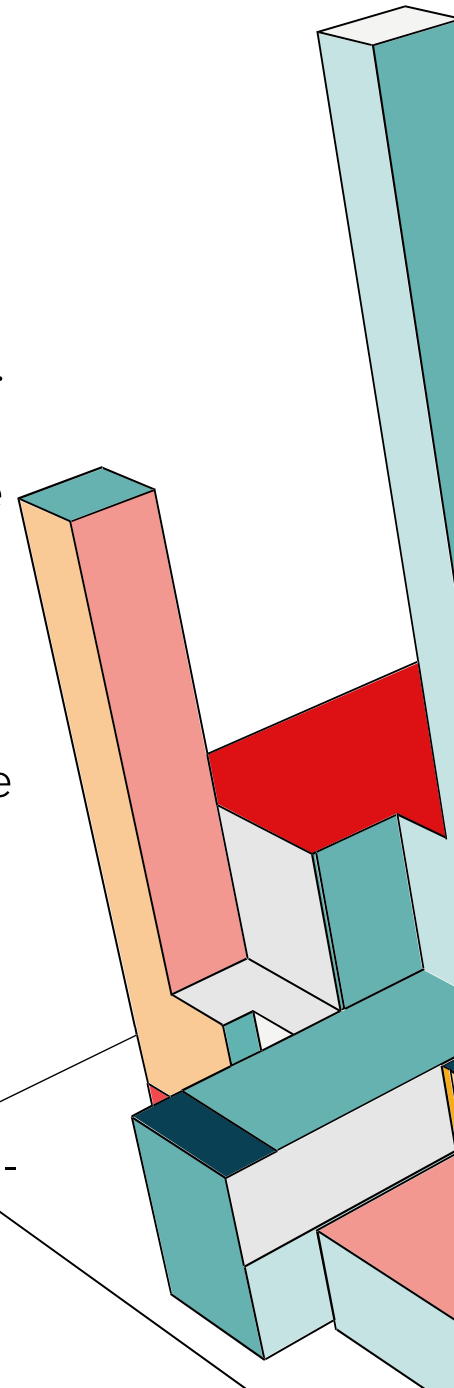
HB 428

Limits local amendments to the state fire code and state building code to matters involving issuance of permits, collection of fees, and similar administrative functions. Although no technical amendments to the state building code are permitted, such municipal technical amendments are allowed where the state building code is more than 2 editions behind the published model codes included in the state building code, are not less stringent than current state building codes, and have been confirmed by the state building code review board.

For the state fire code, the local legislative body is limited to adopting administrative amendments related to issuing permits, collection of fees, and other administrative functions. No amendments to the technical requirements of the state fire code are permitted.

Effective Date: July 1, 2026

Statutes Amended: RSA 155-A:1; RSA 155-A:2; RSA 155-A:3; RSA 155-A:4; RSA 155-A:5; RSA 155-A:7, RSA 155-A:10; RSA 155-A:11-b; RSA 674:34; RSA 675:1.



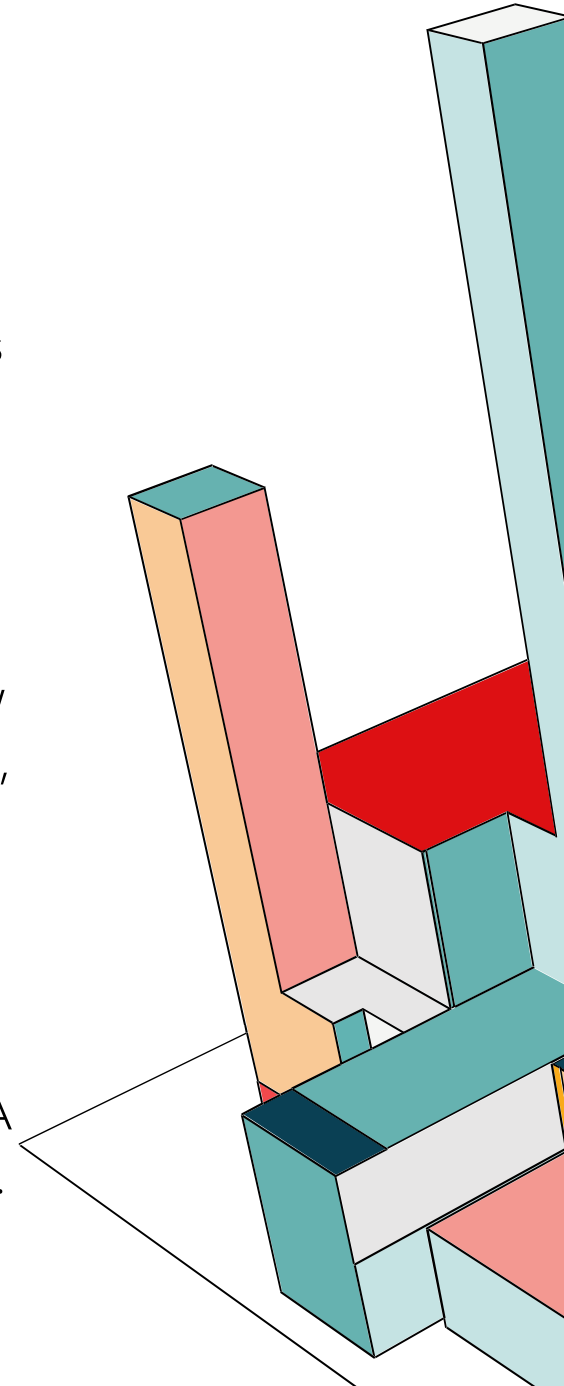
HB 428

Repeals RSA 674:51 and RSA 47:22, the statutes governing town and city building code adoption and enforcement and moves the bulk of those statutes into an amended version of RSA 155-A:3, Enforcement Mechanism.

Amended RSA 155-A:3 also address the following: locally adopted state building code amendments may require certificates of occupancy; state building code provisions shall not interfere with municipal employment practices; local ordinances shall be submitted to the state building code review board for review and confirmation, and such ordinances adopted before July 1, 2025 shall not be enforced unless submitted before July 1, 2025.

Effective Date: July 1, 2026

Statutes Amended: RSA 155-A:1; RSA 155-A:2; RSA 155-A:3; RSA 155-A:4; RSA 155-A:5; RSA 155-A:7, RSA 155-A:10; RSA 155-A:11-b; RSA 674:34; RSA 675:1.



HB 457

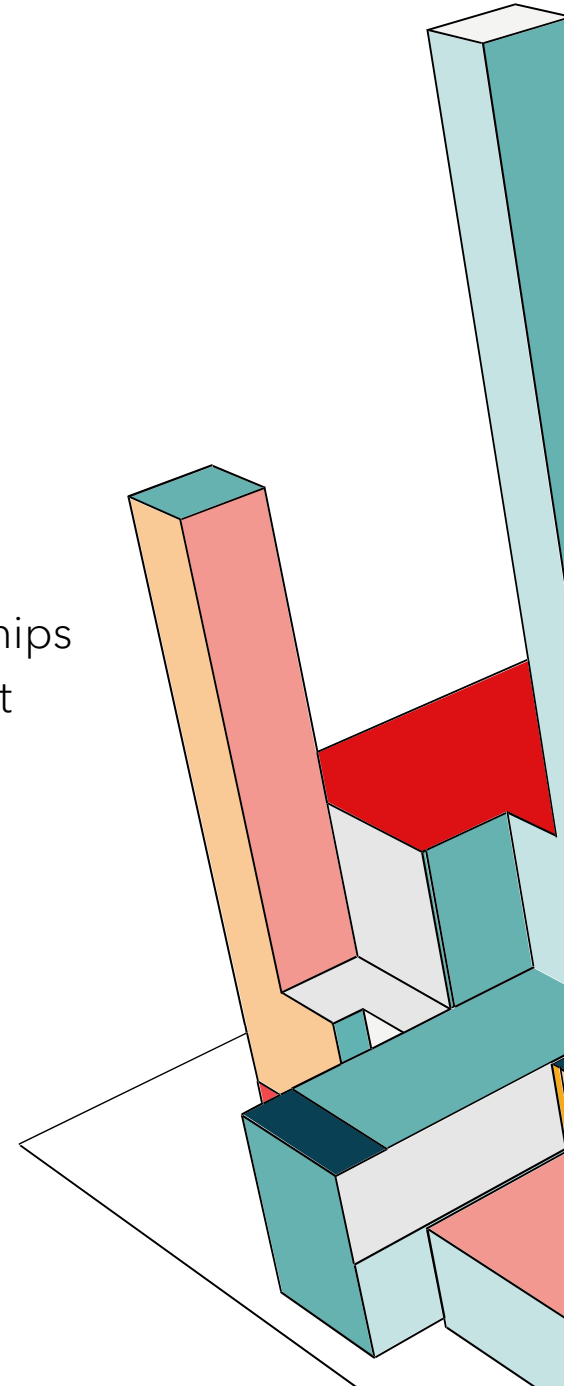
Prohibits municipal zoning ordinances from restricting the number of occupants of any dwelling unit to less than 2 occupants per bedroom.

In addition, any existing zoning ordinance that restricts the number of occupants per bedroom to less than 2 occupants can no longer be enforced by the governing body.

Furthermore, municipal zoning ordinances based on the familial or nonfamilial relationships or marital status, occupation, employment status, or educational status, including but not limited to scholastic enrollment, or academic achievement at any level among, the occupants shall not be enforced.

Effective Date: September 13, 2025.

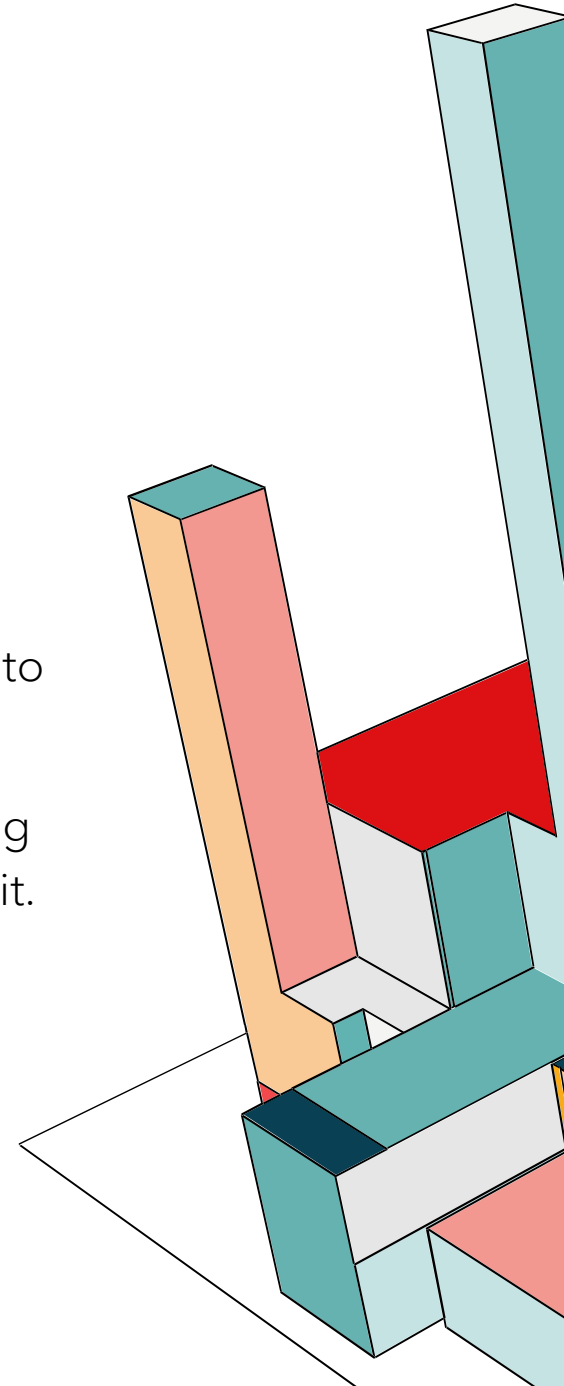
Statute Amended: RSA 674:16 by inserting new paragraph VIII



HB 577

A municipality that adopts a zoning ordinance shall allow accessory dwelling units in all zoning districts that permit single-family dwellings.

- One accessory dwelling unit, which may be either attached or detached, shall be allowed as a matter of right, and municipalities may no longer require either a conditional use permit or special exception for an ADU.
- The municipality shall not limit the choice of ingress and egress. (Does not have to be to the primary unit anymore)
- If a municipality has established regulations requiring parking for the principal dwelling unit, it may require up to one additional parking space for each accessory dwelling unit.
- A municipality may apply aesthetic standards to accessory dwelling units only if it has also applied such standards to the principal dwelling unit.
- A municipality shall not limit an accessory dwelling unit to only one bedroom.

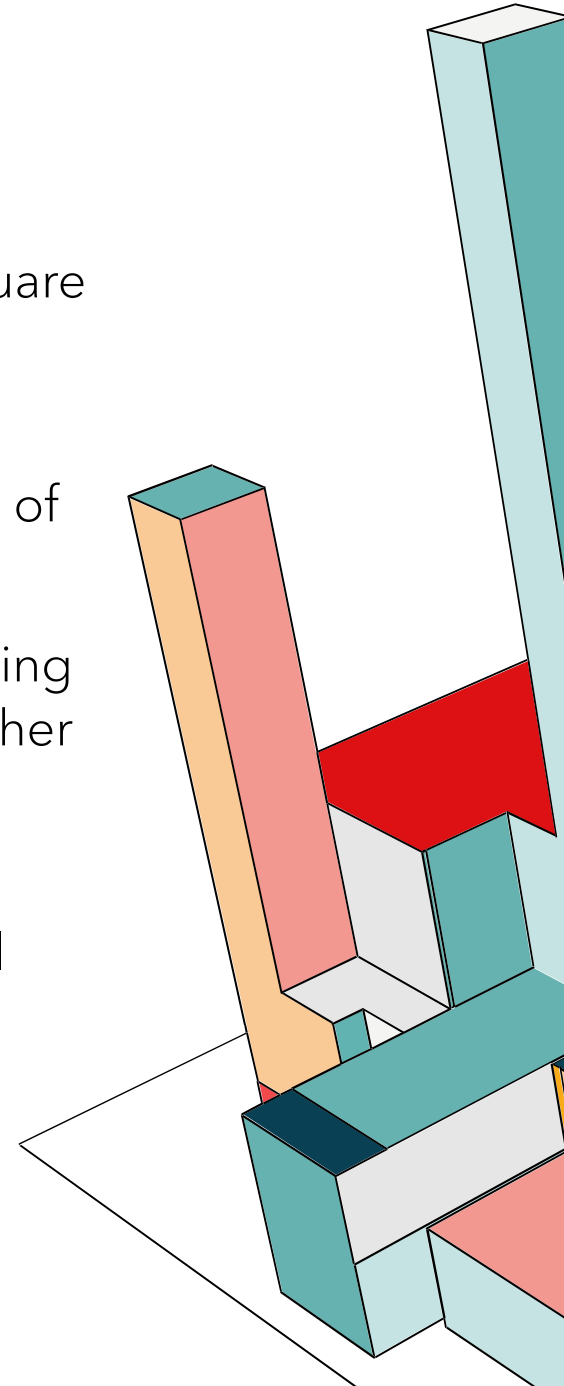


HB 577

- The total living space of the accessory dwelling unit shall not exceed 950 square feet unless otherwise authorized by the municipality. A municipality may not restrict the total living space to less than 750 square feet..
- A municipality shall not require a familial relationship between the occupants of an accessory dwelling unit and the occupants of a principal dwelling unit.
- A municipality shall allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage.
- A municipality shall not deny the establishment of a separate electrical panel and separate electrical service to the accessory dwelling unit.

Effective Date: July 1, 2025.

Statutes Adopted: RSA 674:71-73



HB 631

HB 631 requires municipalities to allow multi-family residential development on commercially zoned land, provided, that adequate infrastructure for roads, water and sewerage systems are available to support that development.

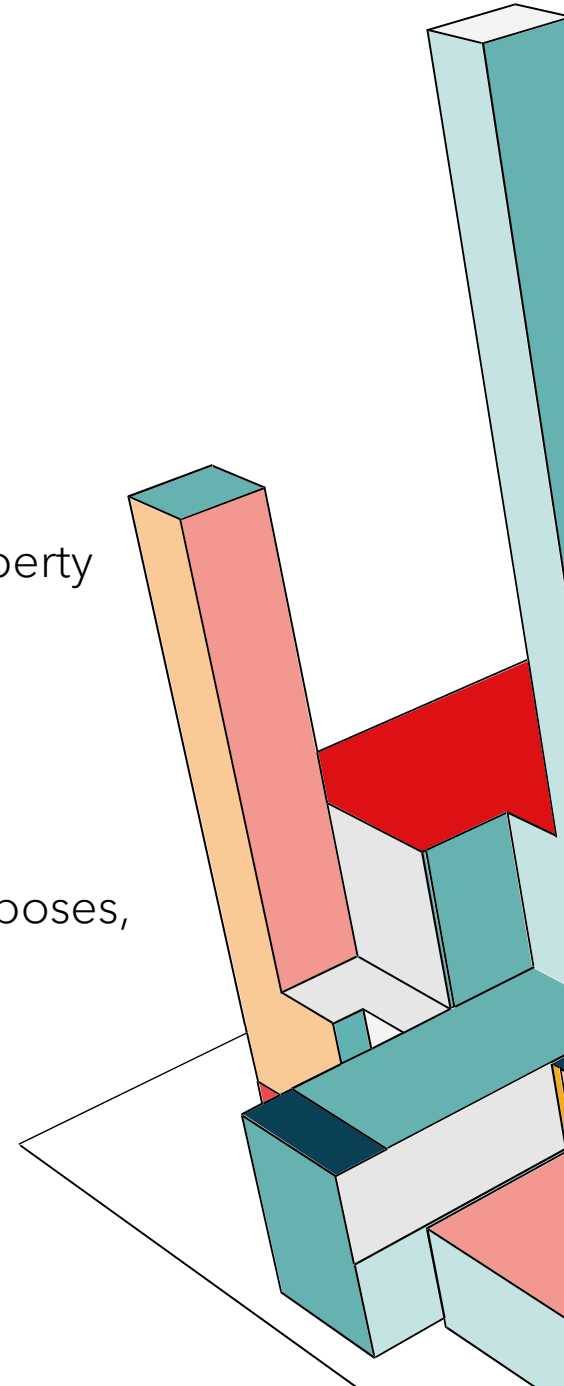
Municipalities may require that the ground floor space in the commercially zone property may be required to be dedicated in whole or in part to retail or similar uses.

Municipalities may still restrict residential development in zones where industrial and manufacturing uses are permitted.

Where an existing building is being repurposed to adaptive reuse for residential purposes, municipalities shall afford exemptions to setbacks, height or frontage of a building, provided these dimensional elements do not change.

Effective Date: July 1, 2026

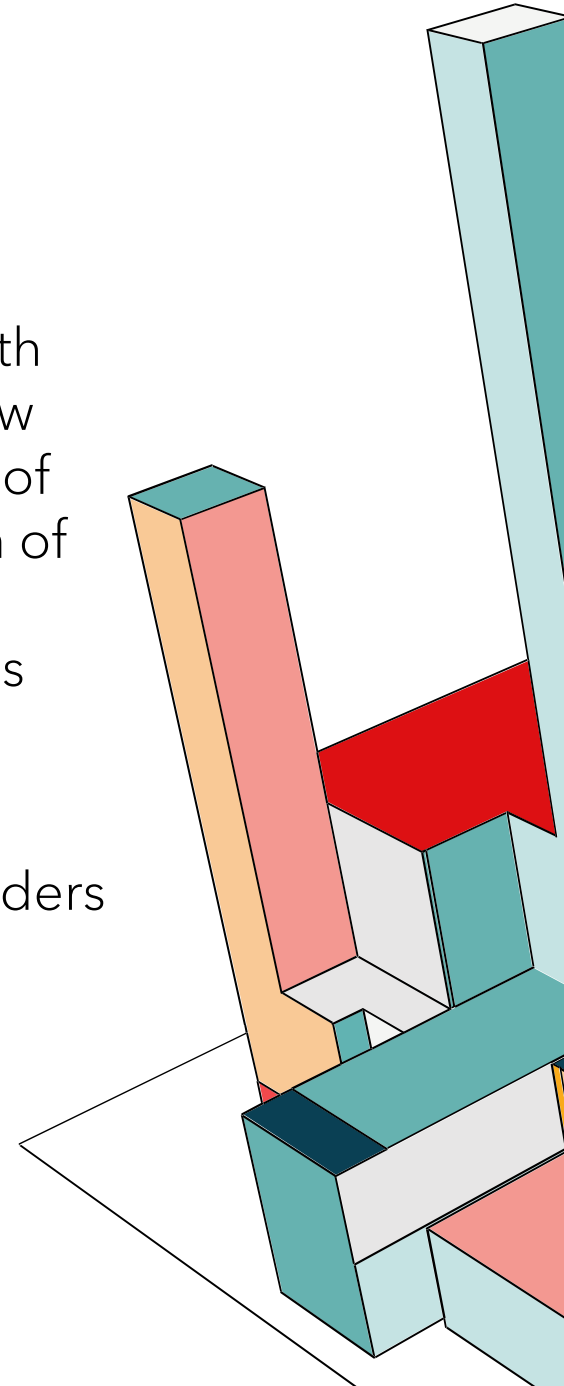
Statutes Adopted: RSA 674:79; RSA 674:80



SB 188

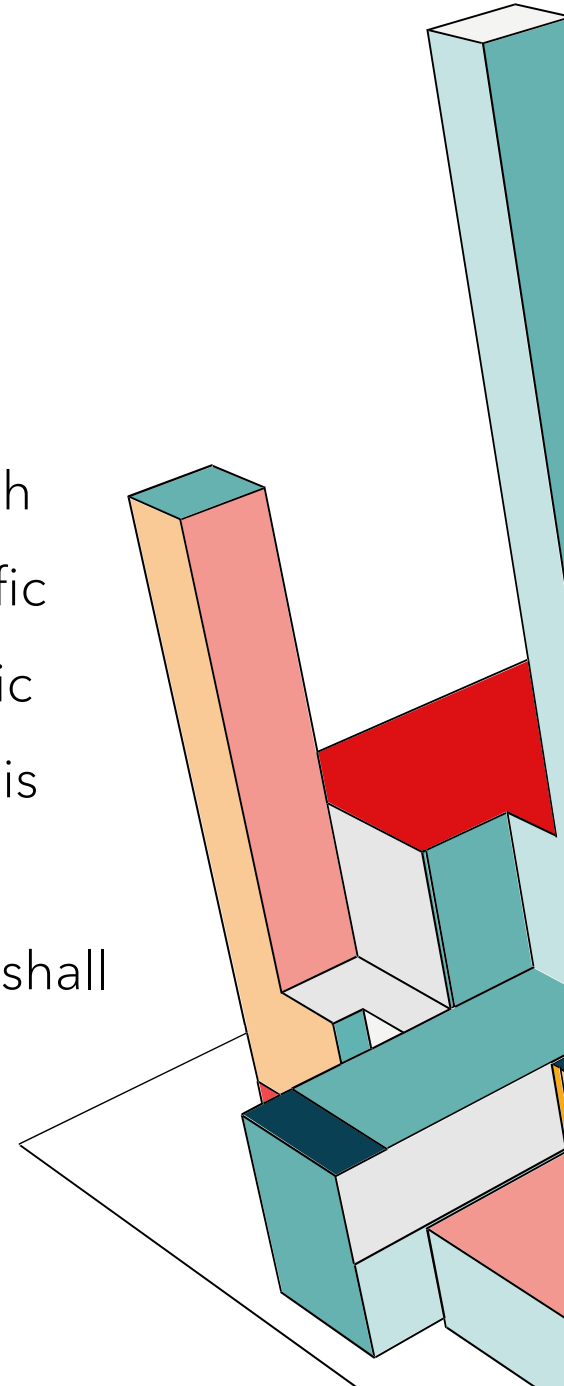
Amends RSA 155 to allow the applicant of a building permit to contract with an independent provider not otherwise engaged by the fee owner to review development documents or provide building inspections within the scope of their license concerning such land, building, or structure. Upon completion of all required inspections, the independent provider shall submit to the regulatory authority a certificate of compliance summarizing the inspections performed. The fee owner or contractor may make payment directly to the independent provider for the provision of such services. (not 3rd Party)

Each regulatory authority may audit the performance of independent providers operating within their jurisdiction, only after the regulatory authority has created a formal audit evaluation.



SB 188

No more than 8 business days after receipt of a development document or application for a building permit, the regulatory authority shall approve such document or provide a written notice to the applicant identifying the specific features that do not comply with the applicable codes, as well as the specific code chapters. If no written notice of the document or permit deficiencies is provided within the prescribed period, the document or permit shall be deemed approved as a matter of law, and any necessary permit or permits shall be issued by the regulatory authority on the next business day.

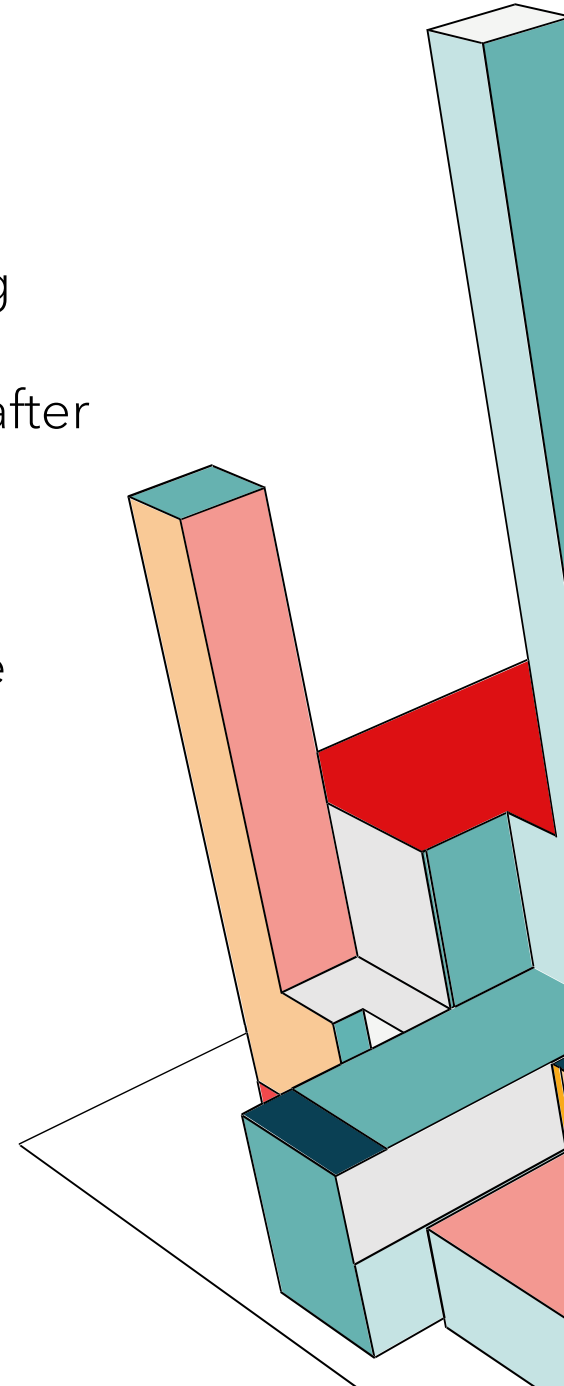


SB 188

No more than 3 business days, or, if the independent provider is inspecting single-family or 2-family dwellings, no more than 5 business days, after the receipt of the certificate of compliance with all necessary inspections, and after the payment of all outstanding required fees, a certificate of occupancy or completion shall be issued by the regulatory authority, or the regulatory authority shall provide a notice to the independent provider of any specific deficiencies in the certificate of compliance, with reference to specific code chapters and if the regulatory authority does not issue the certificate of occupancy or completion or provide notice within the required number of days, the certificate of occupancy or completion is considered granted as a matter of law and shall be issued the next business day.

Effective Date: July 15, 2025

Statute Amended: RSA 155 A



SB 281

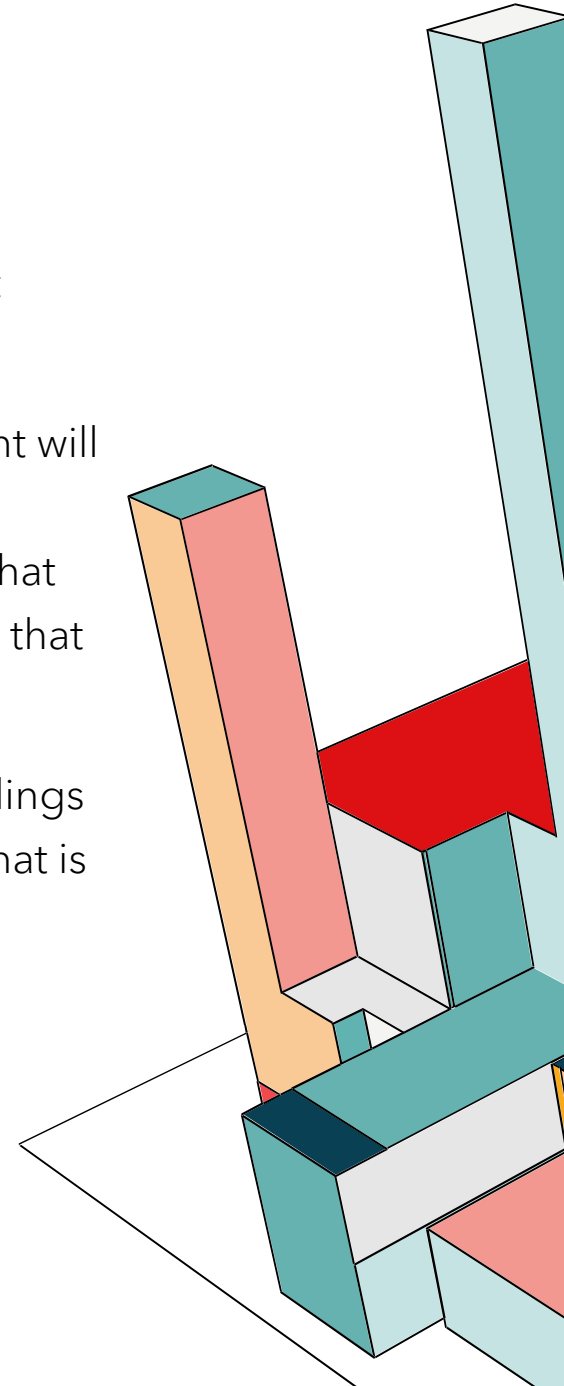
Amends RSA 674:41, by permitting the issuance of building permits on Class VI roads without requiring approval from the governing body.

Instead, in order to get a building permit for erection of a building a Class VI road the applicant will need only sign and record at the registry of deeds a liability waiver acknowledging: that the municipality will not maintain the road nor provide services to any lot accessible by the road; that the municipality will not be responsible for losses or damages caused by lack of services; and, that the responsibility for such services falls solely on the applicant.

Prior to the issuance of the building permit, the applicant shall prove that the lot and any buildings thereon are insurable. We recommend that select boards prepare a standard liability waiver that is used for applicants under this statute. The municipality must verify that the waiver has been recorded.

Effective Date: July 1, 2026

Statute Amended: RSA 674:41, I (c)



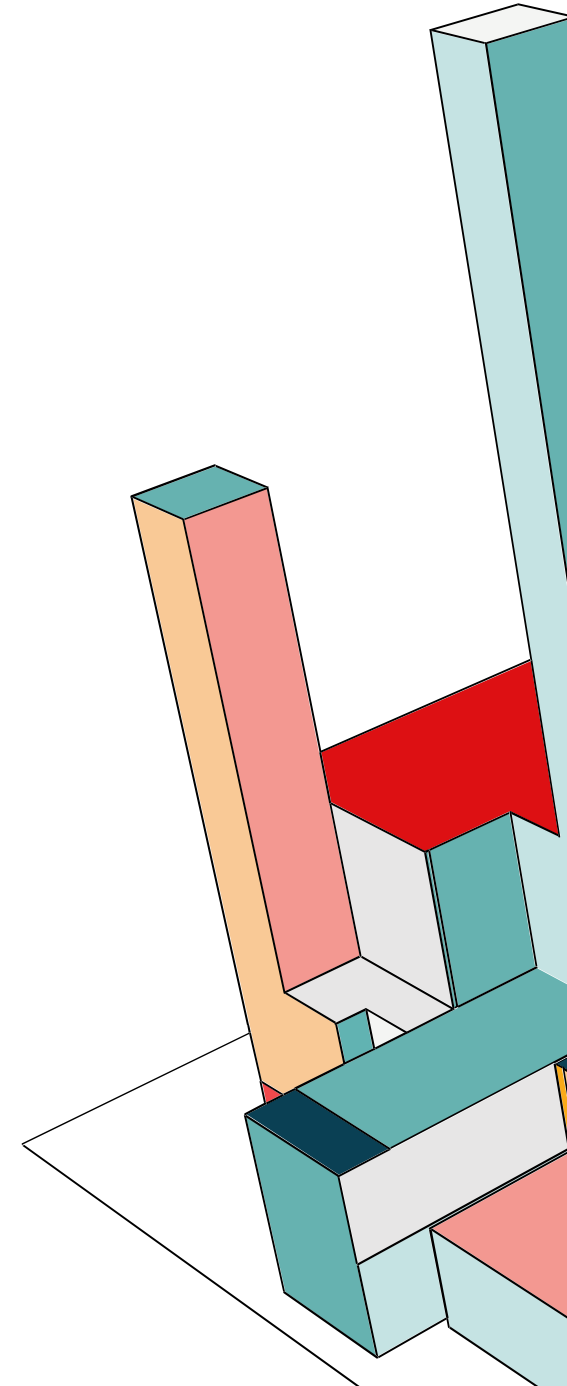
SB 282

SB 282 will permit residential buildings up to four floors above grade to have only one stairway under conditions to be established by the state building code review board (BCRB).

Conditions must be set by the BCRB because the current state building code requires more than one stairway.

Effective Date: September 13, 2025

Statute Amended: RSA 155-A:2, XII



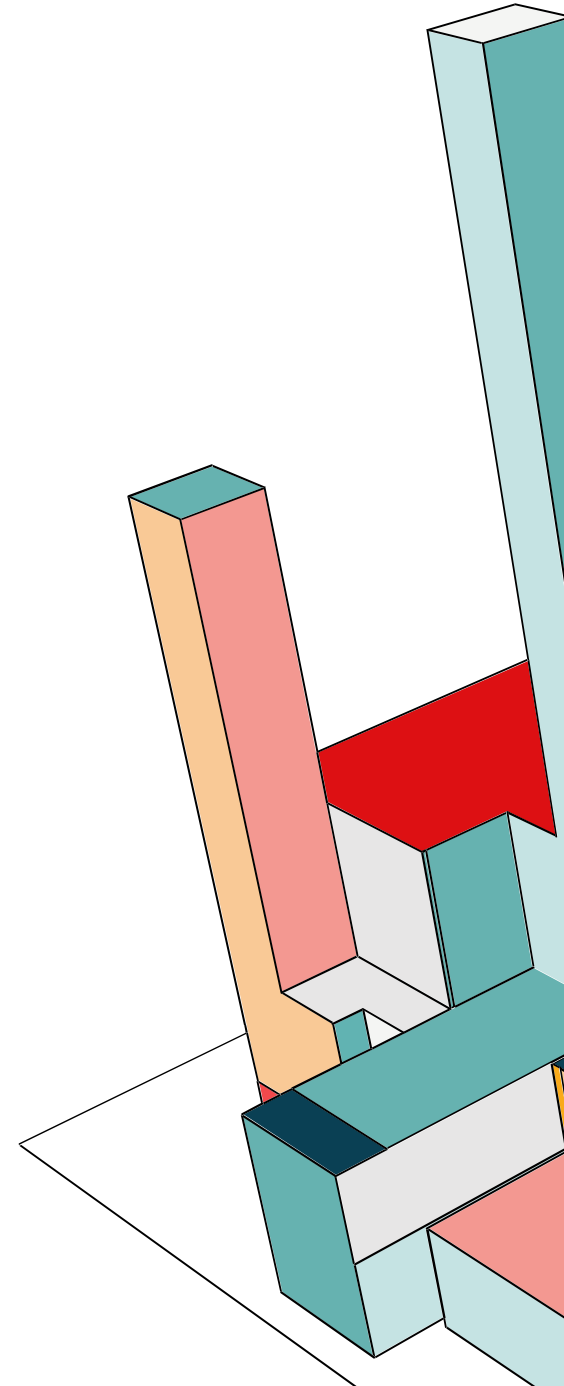
SB 283

Enacts new statutes, RSA 674:77 and RSA 674:78 that will require municipalities to exclude from floor-area-ratio (FAR) calculations any part of a building that is entirely or partially below ground level, including basements, cellars and sublevels.

Below-grade areas may be utilized for parking, storage, mechanical spaces and additional facilities without affecting FAR calculations.

Effective Date: September 30, 2025

Statutes Adopted: RSA 674:77 and RSA 674:78

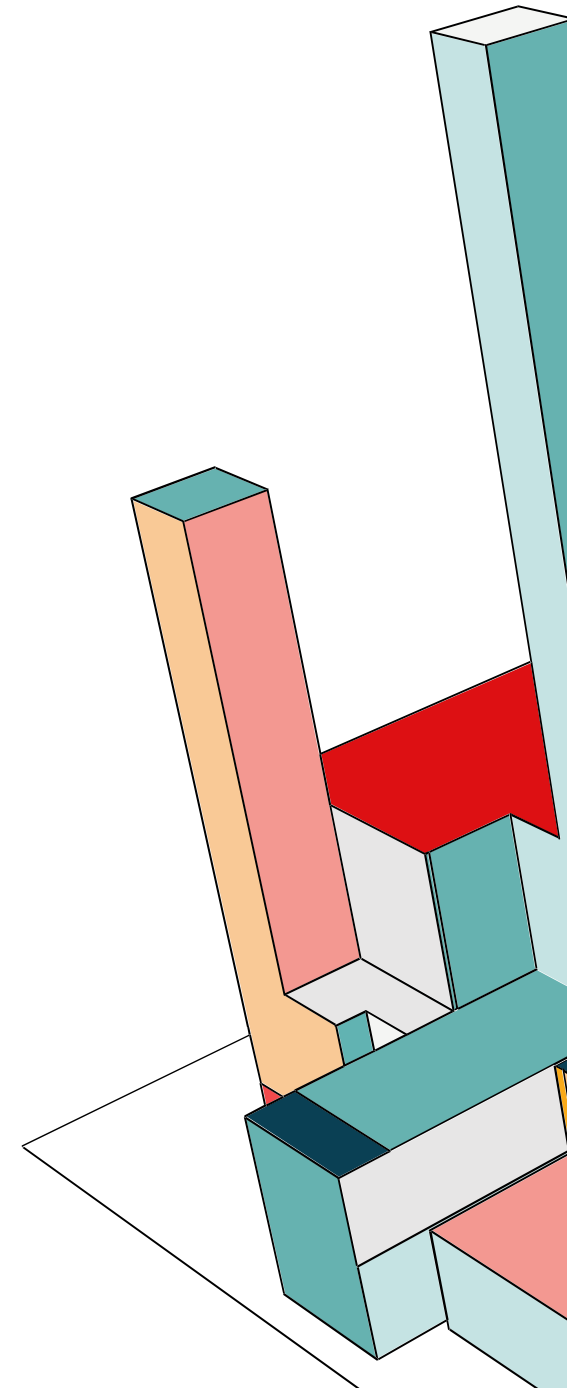


SB 284

Amendment to RSA 674:16 prohibits municipal zoning ordinances from requiring more than one residential parking space per unit. This amendment should be presumed to mean that when determining how much parking will be required for a residential use of land under a municipal zoning ordinance, each unit of housing can only be required to have one parking space.

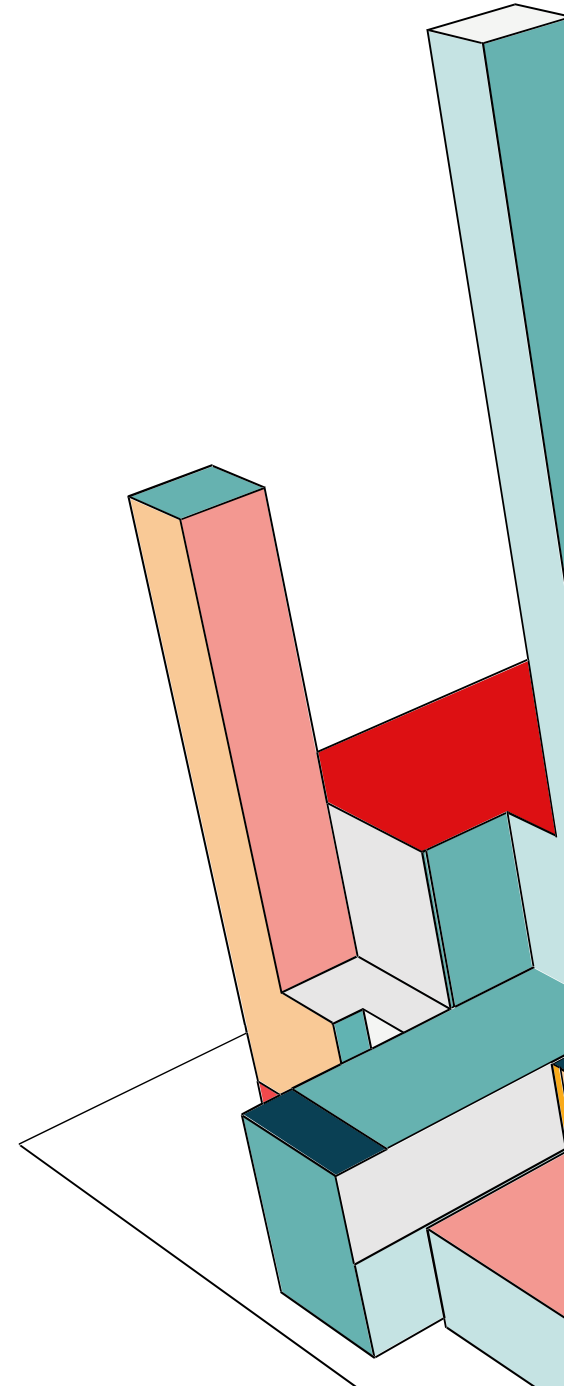
Effective Date: September 13, 2025

Statute Amended: RSA 674:16, VII



HB 399 Commission to Study Zoning Enabling Act

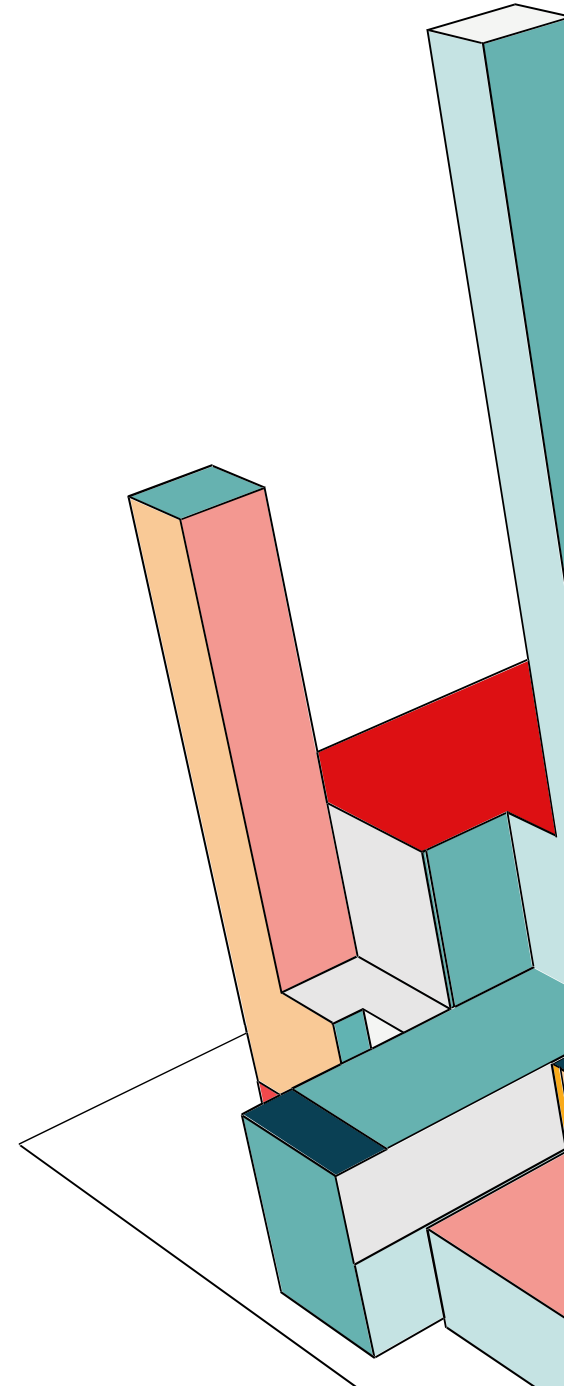
An act establishing a commission to study the New Hampshire zoning enabling act. Creates a commission to study the relevance and effectiveness of the NH Zoning Enabling Act and explore potential revisions or removal of certain powers. The commission is required to submit an interim report by November 1, 2025, and a final report by November 1, 2026. Also includes the investigation of the relationship between the zoning provisions of RSA 674:16 et seq. and the subdivision provisions of RSA 674:35 et seq. and exploration of opportunities for aligning or combining these provisions. Municipalities can attend meetings of the commission once formed, submit testimony, and keep apprised of final recommendations.



HB 467 Social Districts

An act defining "social districts" and enabling municipalities to create social districts. Description Bill introduces the concept of "social districts" and allows municipalities to establish such districts, defined as an outdoor area in which individuals can consume alcoholic beverages sold by licensed establishments. It outlines the process for towns and cities to approve the operation of social districts and establishes requirements within the districts, such as appropriate signage, management and maintenance plans, and district boundaries. Municipalities that approve social districts must also submit a detailed map, along with the proposed days and hours during which alcoholic beverages may be consumed to the liquor commission. Additionally, it sets forth specific requirements for the sale and consumption of alcoholic beverages within social districts.

Effective Date: July 7, 2025





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Legislative Alert: Lot Size Mandates

Although the legislature is currently not in session, we want to alert members to an upcoming House committee meeting concerning two retained bills opposed by NHMA that would create **statewide mandates dictating maximum single-family residential lot sizes**.

On **Tuesday, September 23**, beginning at **10:00 a.m.** in **Granite Place (GP)* Room 231**, the **House Housing Committee** will take up:

[HB 459](#)

- Mandating half-acre zoning for single family properties serviced by public water and sewer, where there is adequate capacity.
- Mandating that single-family lots not serviced by municipal or community sewer infrastructure cannot exceed the size required by the Department of Environmental Services for individual sewage disposal systems.

[SB 84](#)

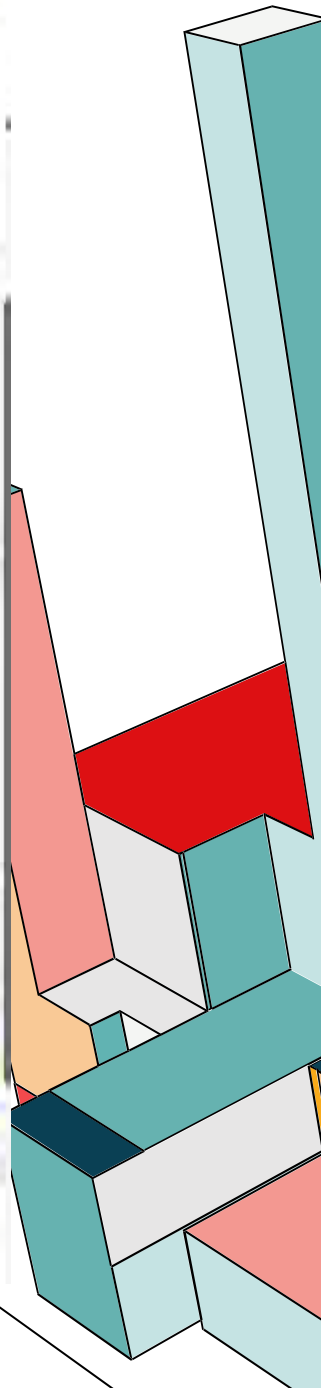
- Mandating maximum lot sizes based on the type of infrastructure servicing the lot, contingent upon sufficient water and/or sewage system capacity.
 - Half (1/2) acre for lots serviced by municipal or community sewer infrastructure.
 - One (1) acre for lots serviced by municipal or community water infrastructure.
 - Two (2) acre for lots not serviced by municipal or community sewer infrastructure.

In addition to blatantly disregarding the will of local voters—who typically approve zoning regulations in most towns—both bills burden municipalities with the responsibility of providing undefined “empirical evidence” to show that their infrastructure capacity cannot support the lots.

Further, communities have unique geographic, environmental, and infrastructure characteristics that generic state policies can’t address. Local governments understand their infrastructure capacity, school enrollment trends, and service delivery capabilities and are best positioned to plan development that matches available resources.

There is no scheduled public comment period for committee meetings regarding retained bills, but NHMA members and concerned citizens are encouraged to **[contact the committee members](#)** in advance of meeting. (Of course, if you have the opportunity to spend a fall morning in Concord, showing up at this hearing can only further emphasize to the **House Housing Committee**—which recommended 16 other statewide zoning mandates out of committee this year on a combined vote of 281-2—that people are finally paying attention to its agenda to fundamentally change the character of New Hampshire’s towns and cities.)

* * *



The background of the slide features a collection of abstract, three-dimensional rectangular blocks in various colors including orange, teal, light blue, and dark blue. These blocks are arranged in a scattered, overlapping manner, creating a modern, geometric aesthetic.

NHMA IMPORTANT DATES CALENDAR – SB2

- Alexandria
- Alton
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- Belmont
- Danbury
- Gilford
- Gilmanton
- New Hampton
- Wolfeboro



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- Andover
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- [2026 Important Dates - SB2 April Town Meeting](#)
- [2026 Important Dates - SB2 May Town Meeting](#)
- [2026 Important Dates - Traditional March Town Meeting](#)
- [2026 Important Dates - Traditional May Town Meeting](#)

2025 Important Dates Calendars

<https://www.nhmunicipal.org/resources-publications>

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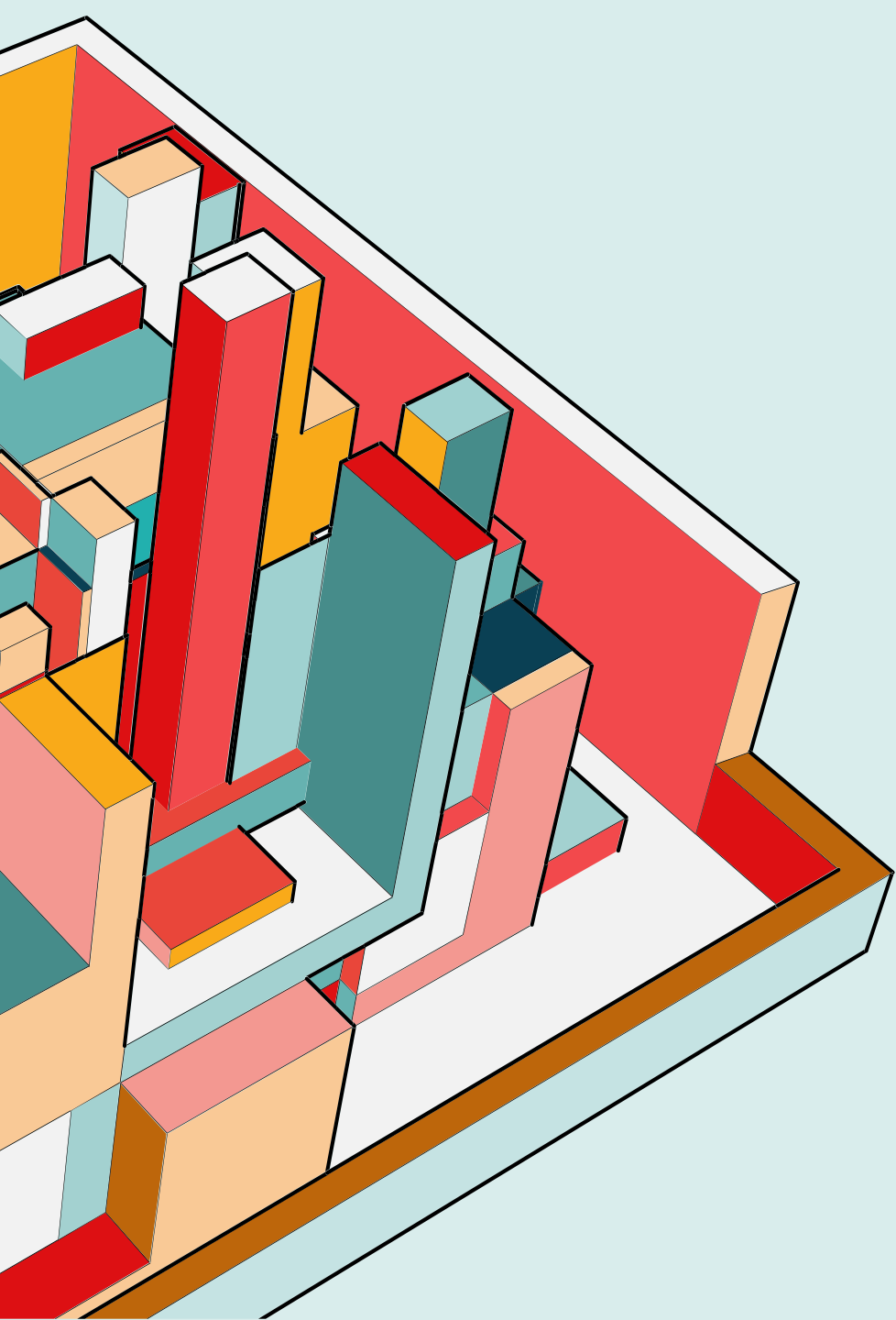
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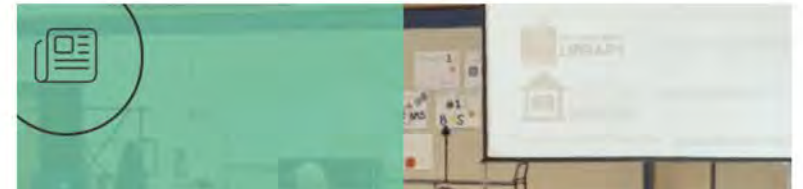
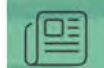
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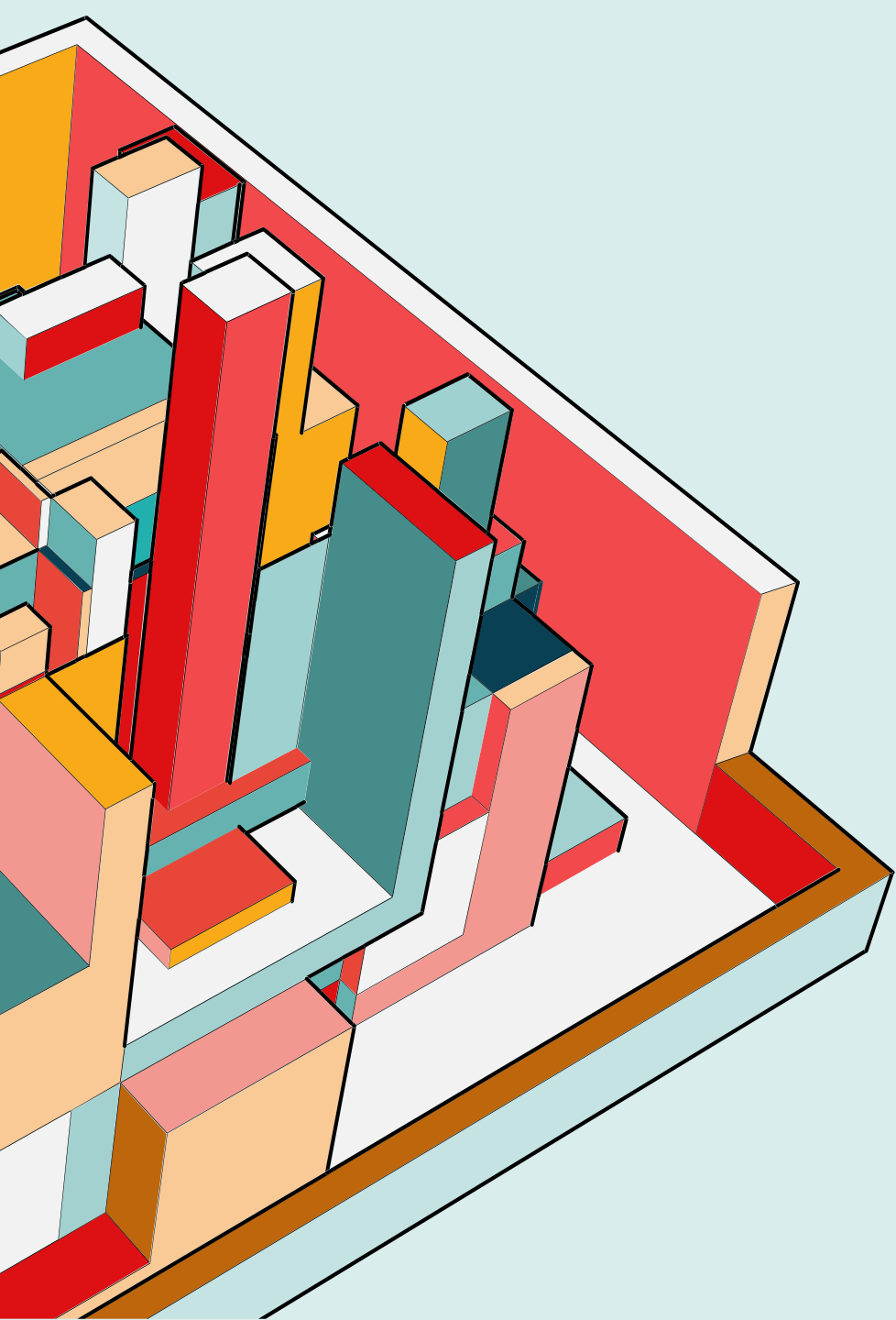
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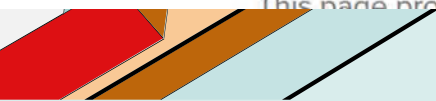
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LEGISLATION

This page provides information regarding recent planning related legislation



GACIT

Tuesday, September 23rd @12PM

Franklin – City Library

*This hearing will represent 26 out of the 31 LRPC communities with District 1 EC Joseph D. Kenney.

Thursday, September 25th @11AM

Barnstead – Town Offices

Monday Oct 20 @ 6 pm

Plymouth Pease Public Library



THANK YOU

Shanna B. Saunders

603-279-8171

s.saunders@lakesrpc.nh.gov

