

HB 296 - AS AMENDED BY THE SENATE

26Mar2025... 0797h

05/22/2025 2154s

2025 SESSION

25-0599

06/11

HOUSE BILL **296**

AN ACT relative to issuing building permits along private roads.

SPONSORS: Rep. Ladd, Graf. 5

COMMITTEE: Housing

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AMENDED ANALYSIS

This bill:

I. Adds an alternative condition and provides another pathway to authorization for local governing bodies to erect buildings along private roads.

II. Removes the zoning board of adjustment's discretion for determining when to take an appeal and replaces it with a non-discretionary 30-day period.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to issuing building permits along private roads.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Regulation of Subdivision of Land; Erection of Buildings on Streets; Appeals. Amend RSA  
2 674:41, I(d)(1) to read as follows:

3 (1) The local governing body, after review and comment by the planning board **or**  
4 ***after establishing that the private road identifies and complies with policy adopted by the***  
5 ***governing body of the municipality***, has voted to authorize the issuance of building permits for  
6 the erection of buildings on said private road or portion thereof; and

7 2 Appeals to Board of Adjustment. Amend RSA 676:5, I to read as follows:

8 I. Appeals to the board of adjustment concerning any matter within the board's powers as  
9 set forth in RSA 674:33 may be taken by the applicant, an abutter as defined by RSA 672:3, or by  
10 any officer, department, board, or bureau of the municipality affected by any decision of the  
11 administrative officer. Such appeal shall be taken within ~~[a reasonable time, as provided by the~~  
12 ~~rules of the board,]~~ **30 days** by filing with the officer from whom the appeal is taken and with the  
13 board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken  
14 shall forthwith transmit to the board all the papers constituting the record upon which the action  
15 appealed from was taken.

16 3 Effective Date. This act shall take effect 60 days after its passage.