

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

HB 1246, relative to planning board members serving on other local boards.

Hearing Date: March 10, 2026

Time Opened: 9:17 a.m.

Time Closed: 9:22 a.m.

Members of the Committee Present: Senators Gray, Rochefort, Perkins Kwoka and Long

Members of the Committee Absent: Senator Lang

Bill Analysis: This bill mandates that a member of a planning board, who also serves on a zoning board, may only participate and vote on one board when an application or development project is heard by both boards.

Sponsors:

Rep. Fracht

Rep. Aylward

Rep. Stavis

Rep. Pauer

Who supports the bill: Rep. David Fracht, Bob Quinn, Cory Stone, Daniel Richardson, Eric Pauer, Jennifer Favreau, Marjorie Boyer, Suzanna Derynioski

Who opposes the bill: Tami Lanzillo Zeimetz

Summary of testimony presented:

Rep. David Fracht-Grafton 16

- This bill is a companion bill to HB 92 (2025), but from the viewpoint of a planning board member, not a zoning board member.
- This allows someone to serve on both a planning board and a zoning board of adjustment but prevents them from sitting on cases that come before both bodies.
- Three hypothetical examples:
 - The planning board issues a decision, which is then appealed to the zoning board. The member who sits on both boards must recuse themselves.
 - A zoning board member who participates in granting a variance to applicant B cannot then serve as an alternate on the planning board considering the same project.

- A planning board member participates in a subdivision application that has previously been granted a variance by the zoning board. The planning board's approval depends on the applicant obtaining another variance from the zoning board. The same member cannot serve as an alternate on the zoning board to hear the second variance because they have already expressed an opinion while on the planning board.
- Considers this a solid government bill that addresses a specific procedural issue in local land-use decision processes.
- This provides a clear rule to ensure the accuracy of local volunteers' records, uphold impartiality, and improve clarity. It also protects boards and municipalities and lessens costly appeals caused by procedural mistakes.

Senator Rochefort asked about the hypothetical examples and inquired whether he had encountered any real cases in which this issue occurred.

Rep. Fracht said these are real examples, and he has seen this in his town, which is Enfield.