

CHAPTER 175
HB 296 - FINAL VERSION

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

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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

1 175:1 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 after*
4 *establishing that the private road identifies and complies with policy adopted by the governing body of the*
5 *municipality*, has voted to authorize the issuance of building permits for the erection of buildings on said
6 private road or portion thereof; and

7 175:2 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 set
9 forth in RSA 674:33 may be taken by the applicant, an abutter as defined by RSA 672:3, or by any officer,
10 department, board, or bureau of the municipality affected by any decision of the administrative officer.
11 Such appeal shall be taken within ~~[a reasonable time, as provided by the rules of the board,]~~ **30 days** by
12 filing with the officer from whom the appeal is taken and with the board a notice of appeal specifying the
13 grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the
14 papers constituting the record upon which the action appealed from was taken.

175:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 15, 2025
Effective Date: September 13, 2025