



February 3<sup>rd</sup>, 2025

Transmitted via email

The Honorable Joe Alexander  
Chairman – House Committee on Housing, and  
The Honorable Members of the House Committee on Housing  
Room 305, Legislative Office Building  
Concord, NH 03301

Subject: HB 459

Dear Chairman Alexander:

The New Hampshire Planners Association, representing land use planning professionals working publicly and privately at all levels of government throughout the state, takes this opportunity to express opposition for HB 459 which mandates lot sizes, regardless of a community's vision or land use intentions. While remaining focused upon the continued development of legislation aimed at addressing our housing crisis, we oppose this bill for the primary reasons that it diminishes the capacity of municipalities to create distinct zoning districts, and that it presents administrative ambiguity which, in practice, will work counter to the bill's intentions.

Just as our State benefits when communities facilitate higher density development in suitable districts, there also exists important value in retaining the ability to prioritize other areas for increased protection of natural and cultural resources. Further, from a procedural standpoint, it does not make sense that a legislature which requires communities to periodically update their vision and land use priorities, would then add a new layer of legislation which overrides those community specific plans.

While the bill may, on its face, appear to provide greater predictability to developers by homogenizing minimum lot sizes, the ambiguity surrounding the application of terms such as “empirical evidence” and “health and safety of the community” presents confusion and broad space for wide ranging interpretation, which would ultimately increase costs and delays to both the developer and the municipality.

For these reasons we urge your committee to recommend that HB 459 be found “inexpedient to legislate”. Thank you for this opportunity to provide comment on this bill.

Sincerely,

Donna Benton, President  
NH Planners Association