

SUMMARY OF CHANGES

The following table summarizes the substantial changes that have been made in this 2025 version of the *Zoning of Adjustment Board in New Hampshire: A Handbook for Local Officials* since the 2024 Handbook update.

| CHAPTER | IMPACTED PAGE #S | DESCRIPTION OF CHANGE |
|--|------------------|---|
| Global Changes | All | Year references updated on the cover page and in the footer. Year references removed for legislative changes to the RSAs enacted prior to 2025. Updated links throughout. Typographical, grammatical, and formatting changes. For additional guidance on 2025 legislative changes affecting planning boards see <i>BEA's 2025 Changes to Planning and Zoning Statutes: A Guide for Municipalities</i> . |
| Chapter I: Organization | I-1-2 | Legislative-related deletion under “BOARD MEMBERS AND ALTERNATE MEMBERS” section related to 2025 HB 413 amending RSA 673:3, IV to clarify that a Zoning Board of Adjustment, regardless of whether its members are elected or appointed, may also serve as the Building Code Board of Appeals pursuant to RSA 673:1,V. General amendment related to RSA 673:3, II process for switching from an appointed ZBA to an elected one. |
| Chapter II: Powers and Duties of the Zoning Board of Adjustment | II-1-2 | Legislative-related changes under “AUTHORITY TO REGULATE THE USE OF LAND” section: related to <ul style="list-style-type: none"> • 2025 SB 284 amendments to RSA 674:16, VII prohibiting municipalities from requiring more than one parking space per dwelling unit, • 2025 HB 457 amendment adding paragraph VIII to RSA 674:16 prohibiting municipalities from limiting occupancy to fewer than two people per bedroom, or restricting who may live together based on relationships, marital status, occupation, employment, or student status. |
| | II-5-6 | Legislative related amendment under section “APPEAL FROM ADMINISTRATIVE DECISION” related to HB 296 amendment to RSA 676:5, I relative to timeline for appeals to the Zoning Board of Adjustment. |
| | II-24-27 | Legislative related amendments and deletions under section “THE ZBA ACTING AS THE BUILDING CODE BOARD OF APPEALS” related to: <ul style="list-style-type: none"> • 2025 HB 413 amendment to RSA 673:3, IV to clarify that a Zoning Board of Adjustment, regardless of whether its members are elected or appointed, may also serve as the Building Code Board of Appeals pursuant to RSA 673:1,V; • 2025 HB 413 amendment to RSA 674:34, I to limit a Zoning Board of Adjustment or Board of Selectmen when it is acting as the Building Code Board of Appeals under RSA 673:1,V or RSA 673:3,IV to only hear appeals of local amendments to the state building code or state fire code; • 2025 HB 134 amendment to RSA 155-A:1, IV which updated the definition of the state building code to include more recent versions of certain international codes and amendments approved by the building code review board; and • 2025 HB 428 repealing RSA 674:51 and RSA 47:22, the statutes governing town and city building code adoption and enforcement and moving the bulk of the language in those statutes into an amended version of RSA 155-A:3, Enforcement Mechanism, and amended version of 155-A:7, effective July 1, 2026. |
| | II-29 | Legislative-related changes under section “OTHER RESPONSIBILITIES OF THE BOARD OF ADJUSTMENT” related to: <ul style="list-style-type: none"> • 2025 SB 281 amendment to RSA 674:41, I(c) prohibiting municipalities from denying building or occupancy permits for property adjacent to Class VI roads under certain circumstances; and • General addition of RSA 674:41, II language related to Erection of Buildings on Streets; Appeals. |
| Chapter III: Procedures | III-1-2 | Legislative-related changes under section “1. APPLICATION” related to 2025 HB 296 changes to timeline for appeals to the Zoning Board of Adjustment to 30 days instead of “reasonable time”. |
| | III-9-10 | Legislative-related changes under section “3. PUBLIC HEARING” related to 2025 HB 265 amendment to RSA 91-A:2, II requiring that a public body's meeting minutes include start and end times of the meeting and the printed name of the person who produced the minutes. |
| | III-13 | Legislative-related changes under section “DISQUALIFICATION” related to 2025 HB 92 amendment to RSA 673:3, V requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances. |

| CHAPTER | IMPACTED PAGE #S | DESCRIPTION OF CHANGE |
|---|------------------|--|
| | III-25 | Legislative-related changes under section “JOINT MEETINGS AND HEARINGS” related to 2025 HB 92 amendment to RSA 673:3, V requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances. |
| Chapter IV: <i>Appeal From a Board's Decision</i> | IV-7 | Legislative-related changes under section “APPEAL TO HOUSING APPEALS BOARD” related to 2025 HB 413 amendment of RSA 679:5, IV to allow appeals of decisions of the state building code review board of decisions of the state fire marshal that may be appealed under RSA 155-A:11, I, and final decisions of a local building code board of appeals that may be appealed under RSA 155-A:11-b, to be appealed to the Housing Appeals Board under RSA 679 in addition to Superior Court pursuant to RSA 155-A:12. |
| APPENDIX A: <i>Suggested Rules of Procedure for Local Boards of Adjustment</i> | A-3 | Legislative-related changes related to: <ul style="list-style-type: none"> • 2025 HB 92 amendment to RSA 673:3, V requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances. • 2025 HB 296 amendment to RSA 676:5, I relative to timeline for appeals to the Zoning Board of Adjustment. |
| | A-5 | Legislative-related changes related to 2025 HB 265 amendment to RSA 91-A:2,II requiring that a public body's meeting minutes include start and end times of the meeting and the printed name of the person who produced the minutes. |