

PLANNING LUNCHEES AT NOON (PLAN) WEBINAR SERIES

Welcome to the April 2026 PLAN Webinar

Check out the Office of Planning & Development's Planning and Zoning Training webpage for:

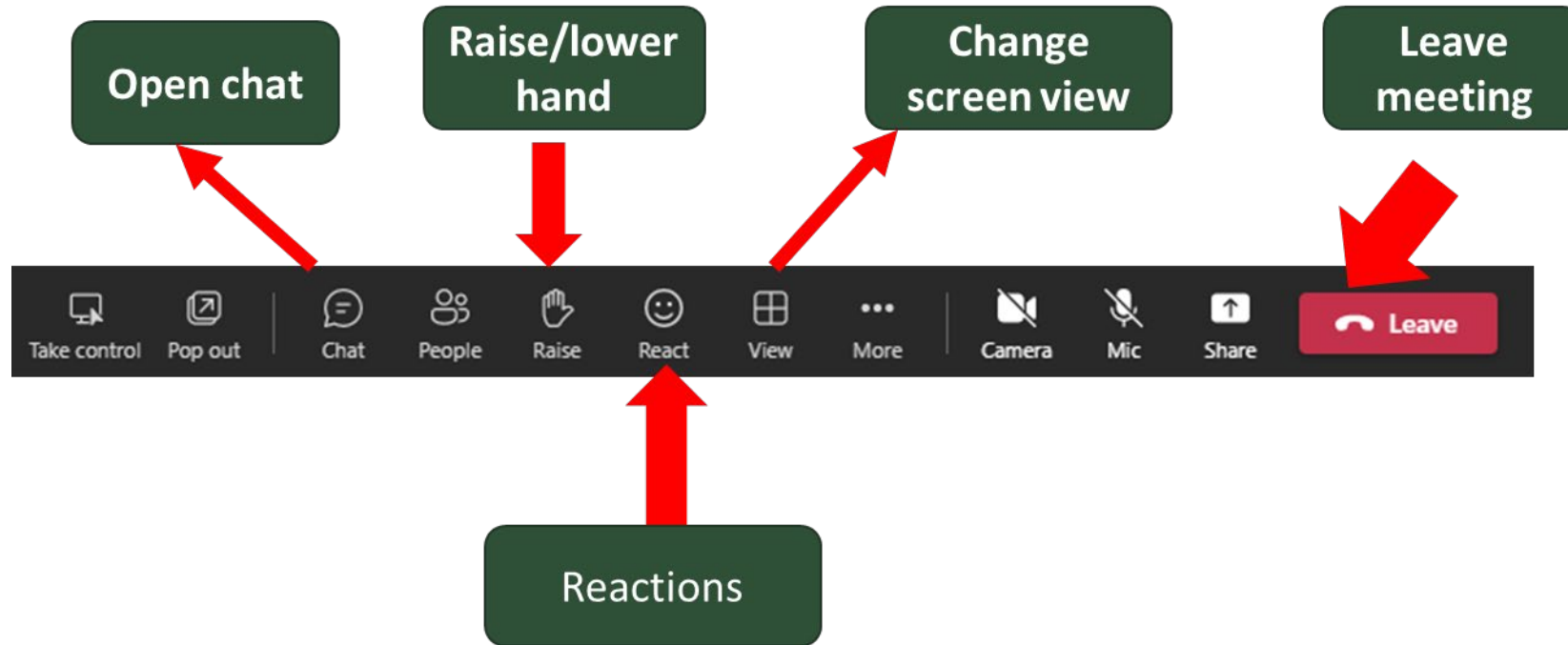
- Slides and recording of past PLAN Webinars and conferences
- Planning Board and Zoning Board 101 slides and recordings
- Planning Board and Zoning Board Handbooks
- Optional Tests and Certificates

www.nhopd.com

How to Participate

For questions, type them into the chat box

We will do our best to answer all questions by the end of the webinar



CONGRATULATIONS, YOU'RE A BOARD MEMBER NOW! WHAT'S NEXT?

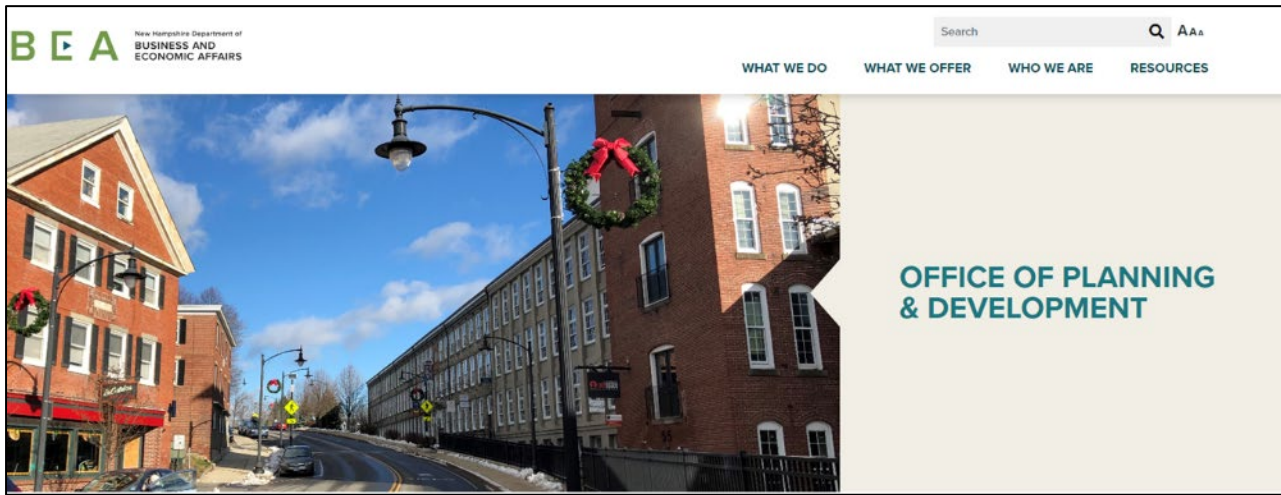
Noah Hodgetts, Principal Planner, BEA Office of Planning and Development
Brendan McDowell, Principal Planner, BEA Office of Planning and Development

April PLAN Webinar

Congratulations You're a Board Member Now!

What's Next?

- Introduction to OPD
- Purposes and definitions of Zoning and Planning
- History of Zoning in the US and NH
- NH Land Use Laws
- Introduction to NH Land Use Boards
- Review board responsibilities
- Tips on how to be a good board member
- Planning and Zoning Alphabet Soup
- Question and Answer



- ▶ **Municipal & Regional Planning Assistance**
- ▶ **Floodplain Management (NFIP)**
 - ▶ Assists municipalities with regulation and map update
 - ▶ Provides education and technical assistance
- ▶ **State Data Center**
 - ▶ Tracks population and housing development
 - ▶ US Census Bureau point of contact
- ▶ **Geographic Information Systems (GIS)**
 - ▶ Maintains/creates GIS data and collaborates on GIS initiatives

www.nhopd.com





Municipal & Regional Planning Assistance

- Provides technical assistance on planning, zoning, land use, and house issues; land use board processes, and other topics.
- Respond to 400+ inquiries annually.
- Conduct annual updates to OPD's Planning Board and Zoning Board of Adjustment handbooks based on statute changes
- Conduct an annual survey to municipalities regarding updates to their land use regulations and maintenance of a central file of local land use regulations pursuant to RSA 675:9
- Provides training for planning and zoning board members on procedures and statute changes (RSA 673:3-a)
- Coordinates planning initiatives across state agencies and with planning partners

NH OPD Training Mandate – RSA 673:3-a

RSA 673:3-a

673:3-a Training. – Any member of a zoning board of adjustment or planning board may complete training offered by the office of planning and development or another organization that provides similar training covering the processes, procedures, regulations, and statutes related to the board on which the member serves.

The office of planning and development shall develop standard self-training materials and corresponding tests for zoning boards of adjustment and planning boards which shall be provided to members free of charge.

OPD Planning & Zoning Resources

BEA New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

The Planning Board in New Hampshire

A Handbook for Local Officials

Office of Planning and Development
2025 Update

BEA New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

The Zoning Board of Adjustment in New Hampshire

A Handbook for Local Officials

Office of Planning and Development
2025 Update

BEA New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

Federal and State Planning and Zoning Case Law

A Handbook for Local Officials

Office of Planning and Development
2025 Update

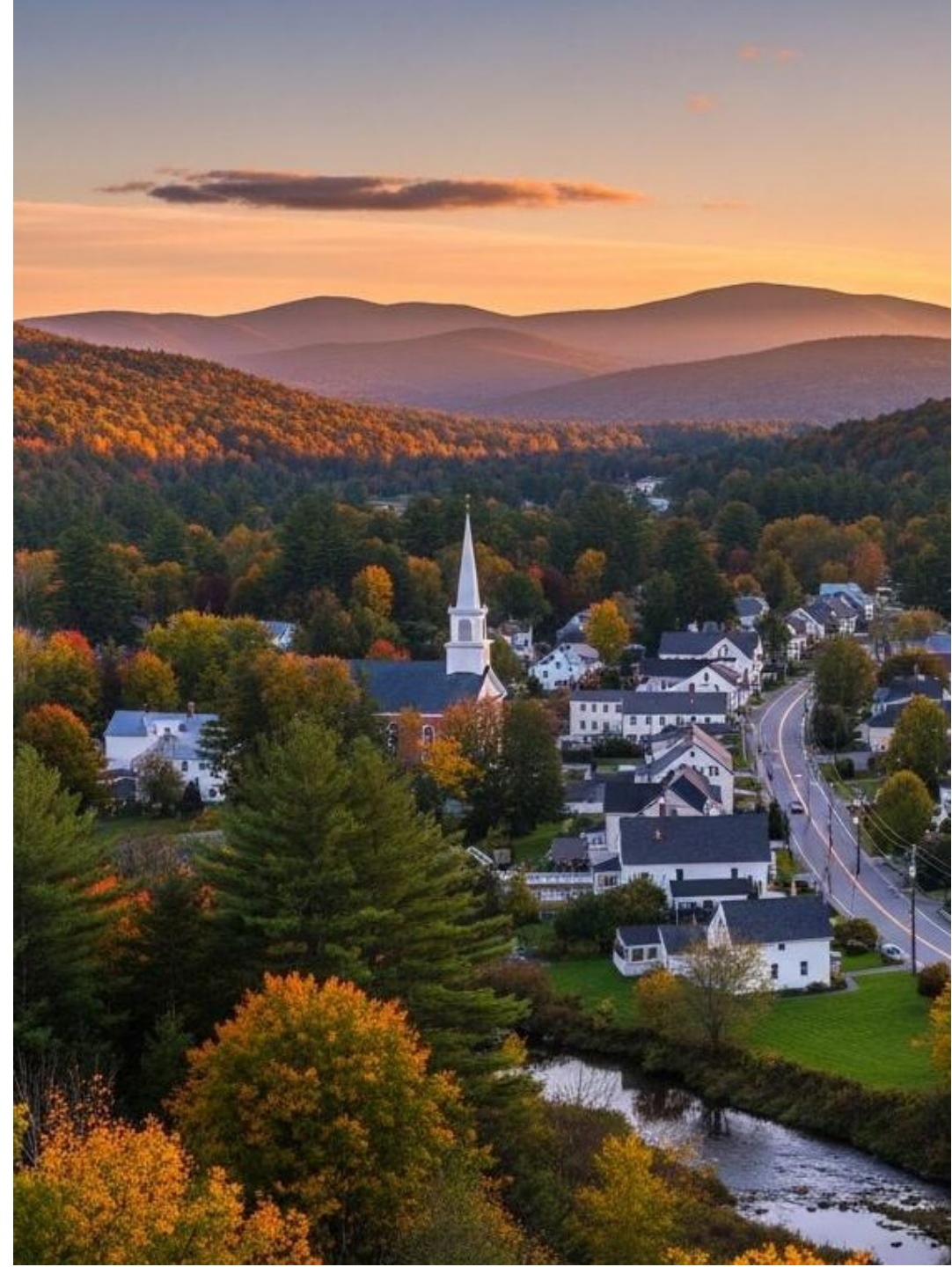
- ▶ [Planning & Zoning Board Handbooks](#)
- ▶ [Monthly PLAN Webinars](#)
- ▶ [Annual Conferences](#)
- ▶ [Plan-Link Listserv](#)
- ▶ [Planning & Zoning Resource Library](#)
- ▶ [Other Publications](#)
- ▶ [NH Housing Toolbox](#)
- ▶ [Municipal Land Use Regulation Survey](#)
- ▶ [Planning and Zoning Legislation](#)

BEA New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

Planning Board Handbook - Optional Test and Certificate

- [The Planning Board in New Hampshire: A Handbook for Local Officials](#)
 - Outlines the organization, functions and duties of Planning Boards in New Hampshire.
 - Summary of changes from previous year and red-lined versions available
- 30-question Planning Board test was developed as an optional learning check based on the information contained in the current Planning Board Handbook, published by OPD.
- Individuals have the option to receive an emailed certificate showing that they passed the test by receiving a score of 65% or higher.
- To receive a certificate, individuals are required to submit their name and email address.
 - [Planning Board Test with No Certificate](#)
 - [Planning Board Test with Certificate](#)

We do not share email addresses.



Zoning Board Handbook Optional Test and Certificate

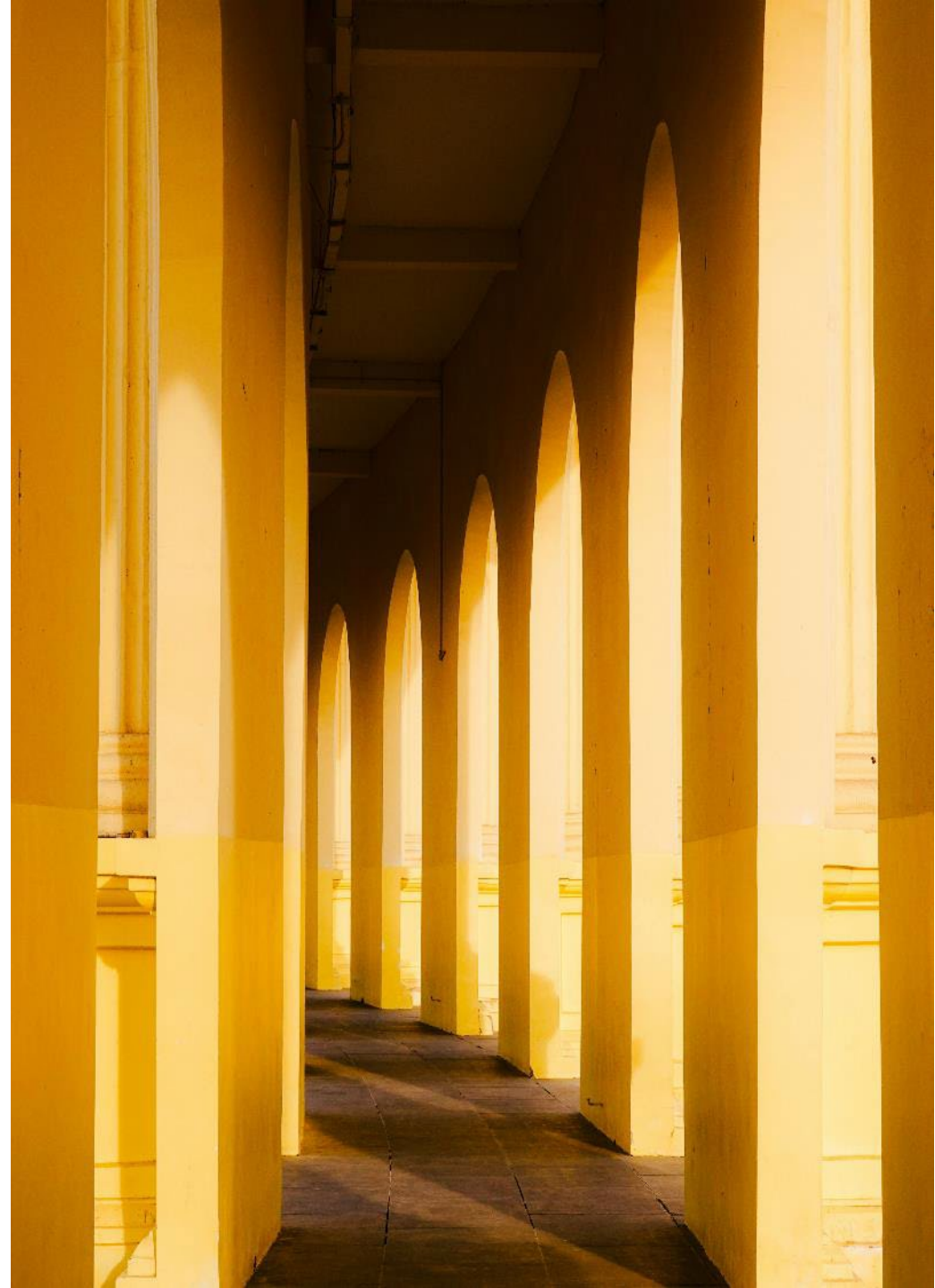
- [The Board of Adjustment in New Hampshire: A Handbook for Local Officials](#)
 - Outlines the organization, functions and duties of Zoning Boards of Adjustment in New Hampshire.
 - Summary of changes from previous year and red-lined versions available
- 30-question Zoning Board test was developed as an optional learning check based on the information contained in the current Zoning Board of Adjustment Handbook, published by OPD.
- Individuals have the option to receive an emailed certificate showing that they passed the test by receiving a score of 65% or higher.
- To receive a certificate, individuals are required to submit their name and email address.
 - [Zoning Board Test with No Certificate](#)
 - [Zoning Board Test with Certificate](#)

*****We do not share email addresses*****



Federal and State Planning and Zoning Case Law for New Hampshire Officials

- Federal and State Planning and Zoning Case Law for New Hampshire Officials.
 - Case summaries of federal and state cases relevant to New Hampshire planning boards and zoning boards of adjustment
- Each case includes a citation to a source and a hyperlink, where available to the full decision.
 - Federal cases are decisions of the United States Supreme Court or United States District Court, District of New Hampshire.
 - State cases are decisions of the New Hampshire Supreme Court



Planning Lunches at Noon (PLAN) Webinar Series

- **March 26, 2026: Floodplain Ordinances: Adopting New Floodplain Maps**
 - [Slides](#)
 - [Recording](#)
- **February 19, 2026: The ABCs of TRCs**
 - [Slides](#)
 - [Recording](#)
 - [2019-0150, Paul Martin v. City of Rochester, NH Supreme Court](#)
- **January 22, 2026: Trends in Housing Permitting and Innovative Zoning**
 - [Slides](#)
 - [Recording](#)
- **December 18, 2025: Best Practices for Planning Boards - Proposing Zoning Amendments, Hearing Applications, and Issuing Decisions**
 - [Slides](#)
 - [Recording](#)
- **November 13, 2025: Implementing C-PACER and Smart Solar Zoning in Your Community**
 - [Slides](#)
 - [Recording](#)
 - [Model Solar Ordinance](#)

Spring 2026 Planning & Zoning Conference May 9, 2026 – 8:45 AM – 3:30 PM (free, online)

Check out [OPD's Planning and Zoning Conference page](#) to register

2026 NHOPD VIRTUAL SPRING PLANNING & ZONING CONFERENCE: May 09, 2026			
	Track 1: Planning Board	Track 2: Zoning Board	Track 3: Special Topics
8:45 - 9:00	Welcome & Introductory Remarks	Welcome & Introductory Remarks	Welcome & Introductory Remarks
9:00 - 10:15	Planning Board Basics <i>Christine Johnston</i>	ZBA Decision Making Process <i>Cordell Johnston</i>	Complete Streets in New Hampshire <i>Gerry Bedard, Nick Altonaga</i>
10:15-10:30	Break	Break	Break
10:30 - 11:45	Planning Board Roles and Responsibilities <i>John Christ</i>	The ZBA in NH <i>Jason Dennis</i>	Regulatory Reform: Opportunities and Challenges <i>Sam Durfee, Joseph Perez, Judi Barrett</i>
11:45 - 12:45	Lunch	Lunch	Lunch
12:45 - 2:00	Planning Board Housekeeping <i>Stephanie Verdile</i>	Enforcing Floodplain Regulations and Correcting Violations <i>Sarah Thunberg, Stephanie Frechette</i>	Building Code 101 for Planners <i>Michael Hagan</i>
2:00 - 2:15	Break	Break	Break
2:15 - 3:30	The Planner Is In <i>Mark Fougere, Stephanie Verdile, Carol Ogilvie</i>	ZBA Q&A <i>Steven Whitley, Cordell Johnston</i>	Historic Preservation Planning Tools For Your Community <i>Nadine Miller, Noah Hodgetts, Sarah Wrightsman</i>

Planning & Zoning Resources Library



Land Use Topics

- [Agriculture, Farmland and Open Space Preservation](#)
- [Historic Preservation](#)
- [Housing](#)
- [Transportation](#)
- [Water Resources](#)

Municipal Topics

- [General Planning Tools](#)
- [Land Use Boards and Municipal Officials](#)
- [Municipal Information](#)
- [Site Plan Review](#)
- [Subdivision](#)
- [Zoning](#)

Other NH OPD Planning Publications and Tools

- [Developments of Regional Impact](#)
- [Fiscal Housing Calculator](#)
- [Master Planning in New Hampshire](#)
- [NH Housing Toolbox](#)
- [Planning for Accessory Dwellings](#)
- [RecReady NH \(NEW\)](#)
- [Tax Increment Financing](#)

New Hampshire Housing Toolbox

HOUSING STRATEGIES

FILTER BY ISSUES ADDRESSED

SEE ISSUE DEFINITIONS ON THE ABOUT PAGE.

All

Affordable Housing

Housing Costs

Housing Options

Infrastructure

Multigenerational

Redevelopment

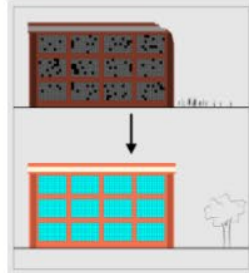
Sustainable Housing



Accessory Dwelling Units (ADUs)

Secondary homes or apartments on an existing single family lot.

Housing Costs Housing Options Multigenerational



Adaptive Reuse

The practice of reusing old buildings for new purposes

Housing Costs Housing Options Infrastructure Redevelopment

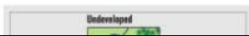
Sustainable Housing



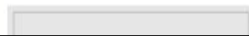
Age Friendly Neighborhoods

Places that address the needs of younger and older adults.

Housing Costs Housing Options Multigenerational



Cluster Housing



Form-Based Codes



Manufactured Housing

RecReady^{NH}

MODULE 1

**Assess Inventory
and Existing
Conditions**



MODULE 2

**Perform
Stakeholder and
Public Engagement**



MODULE 3

**Manage Natural
Resources and
Education**



MODULE 4

**Develop Recreation
Plan and
Documents**



MODULE 5

**Implement and
Construct Project**



MODULE 6

**Review Economic
Impact and Build
Community**



Municipal Land Use Regulation Survey

BEA
New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

The State of Local Land Use Regulations in New Hampshire

2024 Update

Alvina Snegash, Assistant Planner and Noah Hodggett, Principal Planner
NH Department of Business and Economic Affairs (BEA), Office of Planning and Development
August 2025

Lowering Regulatory Barriers to Housing Development

Several communities adopted zoning changes intended to lower regulatory barriers to developing housing and allow a diverse range of housing types including:

- **Bethlehem** now allows the conversion of existing single-family residences and structures used for non-residential purposes to multi-family housing in several districts. It also allows residential above first floor commercial in the Commercial District I.
- **Boscawen** adopted a Planned Unit Development (PUD) ordinance and redefined its Mill Redevelopment Zoning District to allow more diverse housing types and increase allowed densities.
- **Claremont** added Cottage Developments as an allowed use by Conditional Use Permit (CUP) to several districts and added conversion of existing single-family residences to duplexes or multi-family housing by CUP.
- **Exeter** expanded the Mixed-Use Neighborhood District (MUND) outside of downtown to include the C2 Highway Commercial district and provided incentives including a density bonus to create a mix of housing units (including 10% affordable units).
- **Farmington** increased the maximum density for duplexes and multi-family housing and added density bonuses for properties connected to water and sewer. It now allows duplexes, in addition to single family homes, on a rear lot that has been subdivided out of a parcel otherwise lacking sufficient frontage to be subdivided, in all residential districts except the Agricultural Residential District.
- **Hinsdale** reduced the minimum lot size from 2 acres to 1 acre in the Rural Agricultural District and now allow residential uses in the Commercial Industrial District.
- **Jaffrey** now allows multi-family housing in the General Business and General Business A District where water and sewer is available and added a density bonus for workforce housing and senior housing. Jaffrey allows developers of workforce or senior housing to exceed the 8 units per building limit if it makes the project economically viable.
- **Keene** adopted a Cottage Court Overlay District, which allows for innovative site design and clustering of smaller residential units at a higher density within the tract than would be allowed by the underlying zoning district by CUP.
- **Newbury** removed its minimum square footage requirement for single-family homes.
- **Portsmouth** created the Gateway Neighborhood Overlay District for the purpose of creating additional housing opportunities in certain neighborhoods. It will also allow for higher density housing.
- **Sandwich** allowed duplexes in all residential districts.

2024 Survey Results

- **Story Map** – Summary of survey results ([PDF](#))
- **Interactive Map** – GIS map with layers broken down by 2024 survey topic.
- **Community Snapshots** – Survey results for each community, including links to regulations, master plans, and zoning ordinances.
- **Adopted Zoning Amendments** – Excel workbook summary.
- **Subject Specific Tables** – The data collected from the survey is categorized by topic in the order it was presented on the survey.

BEA
New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS



Planning and Zoning Legislation

169th General Court (2025-2026)

- First Session - 2025

- HB 577 - [Summary of Changes](#)
- [2025 Changes to Planning and Zoning Statutes: A Guide for Municipalities](#)

Changes to Planning & Zoning Statutes in 2025: A Guide for Municipalities



Table of Contents

HB 2, Relative to state fees, funds, revenues, and expenditures (Partners in Housing)	4
HB 92, Requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances.....	6
HB 168, Relative to including municipal public works facilities as eligible capital facilities for the assessment of impact fees.....	7
HB 265, Requiring that a public body's meeting minutes include start and end times of the meeting and the printed name of the recording secretary.....	8
HB 272, Exempting certain agricultural practices from municipal noise regulation.	9
HB 296, Relative to issuing building permits along private roads.....	10
HB 413, Relative to subdivision regulations on the completion of improvements and the regulation of building permits.	11
HB 457, Relative to zoning restrictions on dwelling units.....	13
HB 577, Relative to modifying the definition of ADUs	14
HB 631, Permitting residential building in commercial zoning	18
SB 281, Prohibiting municipalities from denying building or occupancy permits for property adjacent to Class VI roads under certain circumstances.	21
SB 283, Relative to the calculation of floor-area-ratios under local building ordinances.....	23
SB 284, Relative to authority for municipalities to regulate mandatory on-site parking requirements.....	24



HB 2, Relative to State Fees, Funds, Revenues, and Expenditures (*Partners in Housing*).

Section 209 – Section 213 of HB 2 creates a new process for municipalities to designate and expedite permitting of municipal-owned land for residential purposes.

Steps Required for Designation and Expedited Review of Applications for Residential Development on Municipally Owned Land

1. Governing body makes determination of municipally owned real property that is “in their judgement appropriate for development for residential use” (not including tax deeded properties) and sends this list to the Planning Board ([RSA 41:11-a.IV](#)).
2. Planning Board votes to designate any property recommended to it as appropriate for development as a residential use by the select board pursuant to RSA 41:11-a.IV, as appropriate for development for residential use ([RSA 674:1.VII](#)).
3. Planning Board forwards a description of the property(ies) designated for residential use to the Office of Planning and Development via e-mail to planning@livefree.nh.gov ([RSA 674:1.VII](#)).
4. Governing body votes to authorize that properties qualify for expedited review and approval pursuant to [RSA 676:4.III](#) (minor subdivision expedited review process)
Note: If the local legislative body has already authorized minor site plan review (technical review committee), pursuant to [RSA 674:43.III](#) then no additional vote is necessary for properties to qualify for expedited review and approval pursuant to [RSA 676:4.III](#).
5. Notice of application for development of municipally owned land into residential use is provided to all abutters, holders of conservation, preservation, or agricultural preservation restrictions, and the public in accordance with [RSA 676:4.I\(d\)](#).
6. Planning Board accepts and approves the application at one or meetings in accordance with [RSA 676:4.III](#). A public hearing is only required if requested by the applicant, abutters, or holders of conservation, preservation, or agricultural preservation restrictions any time prior to approval or disapproval or if the Planning Board makes a determination that a public hearing should be held on the application.





Zoning vs Planning

What is the difference between Zoning and Planning?

- **Zoning**-the legal process for regulating type, location, size, density etc. of land uses through regulations and documents.
- **Planning**-the legal, decision-making process in which communities' goals and objectives for deciding future uses of land are established through land use regulations and planning principals.
 - ❖ Both are community-based
- Both are considered the regulatory framework that control land uses by size, location, density, etc.(zoning) and implementing goals of the community (planning).
- Land Use Regulations: Zoning, Site Plan, Subdivision, Excavation etc.

Why do we have Planning and Zoning?

To promote the:

- Health
- Safety
- Welfare

NH RSA 674:16, I. Zoning Grant of Power. – “For the purpose of promoting the health, safety, or the general welfare of the community...”

This is further supported through Land Use Regulations most notably through

- Zoning Ordinances and maps
- Subdivision Regulations (**RSA 674:36**) and
- Site Plan Review Regulations (**RSA 674:43**)

Early Zoning

In 1916, New York City adopted the first zoning regulations to apply citywide as a reaction to construction of the Equitable Building (which still stands at 120 Broadway).



Early Planning



1800's
Planned
Industrial
Towns &
Cities

Zoning Grant of Power in NH

RSA 674:16

I. **For the purpose of promoting the health, safety, or the general welfare of the community**, the local legislative body of any city, town, or county in which there are located unincorporated towns or unorganized places is authorized to adopt or amend a zoning ordinance under the ordinance enactment procedures of RSA 675:2-5.

The zoning ordinance shall be designed to regulate and restrict:

- (a) The height, number of stories and size of buildings and other structures;
- (b) Lot sizes, the percentage of a lot that may be occupied, and the size of yards, courts and other open spaces;
- (c) The density of population in the municipality; and
- (d) The location and use of buildings, structures and land used for business, industrial, residential, or other purposes.

Planning and
Zoning laws:

RSA Chapters
[672 to 679](#)

Zoning Comes to NH

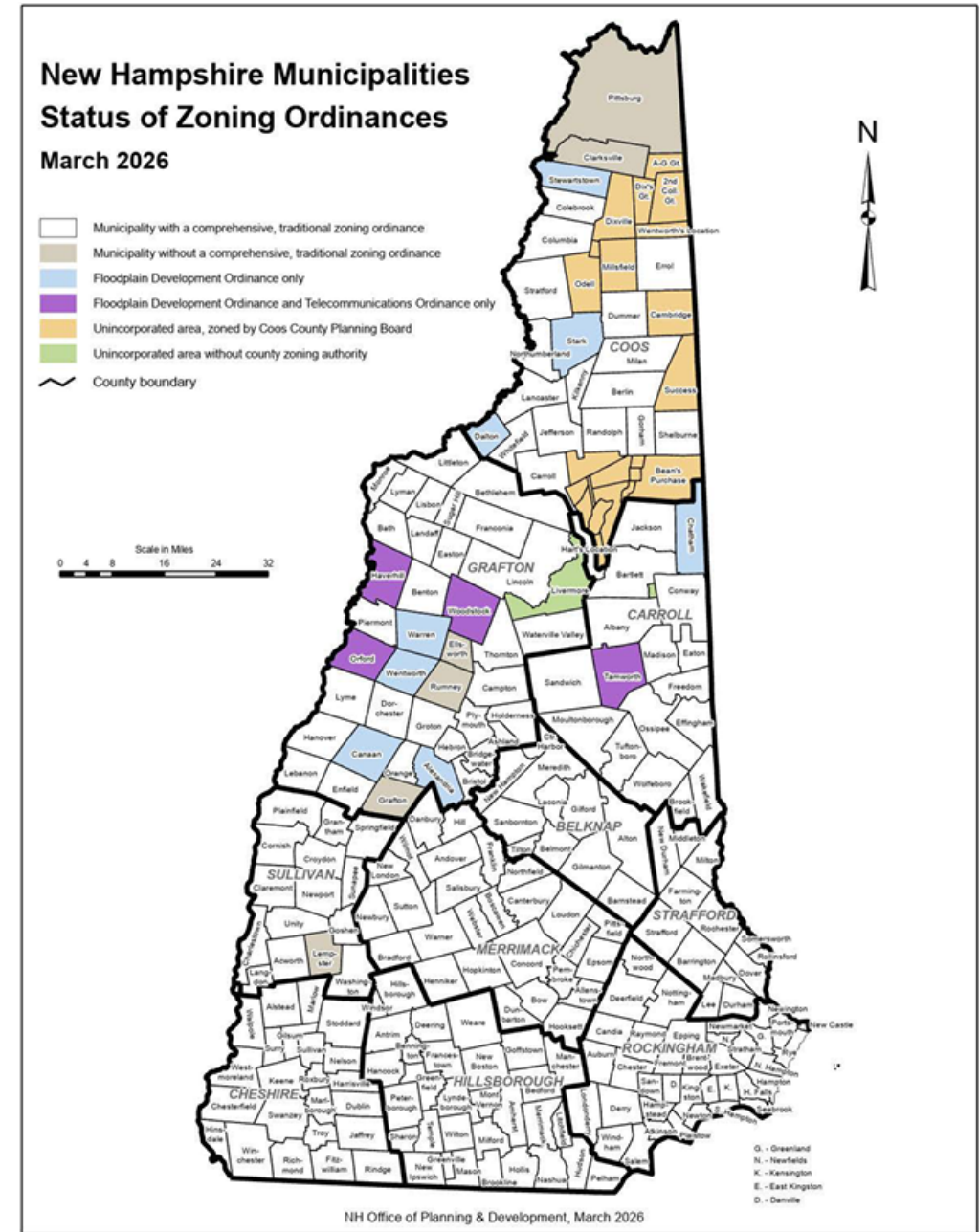
674:17 Purposes of Zoning Ordinances.

Zoning ordinances **shall be designed**:

- (a) To lessen congestion in the streets;
- (b) To secure safety from fires, panic and other dangers;
- (c) To promote health and the general welfare;
- (d) To provide adequate light and air;
- (e) To prevent the overcrowding of land;
- (f) To avoid undue concentration of population;
- (g) To facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, child day care;
- (h) To assure proper use of natural resources and other public requirements;
- (i) To encourage the preservation of agricultural lands and buildings and the agricultural operations described in RSA 21:34-a supporting the agricultural lands and buildings; and
- (j) To encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy sources ...

Current Status of Zoning Ordinances in New Hampshire

- ❑ 226 with a comprehensive zoning ordinance
- ❑ 18 with no comprehensive zoning ordinance
 - 13 with some type of zoning (floodplain development ordinance and/or telecommunications ordinance)
 - 6 without any type of zoning



NH Land Use Boards

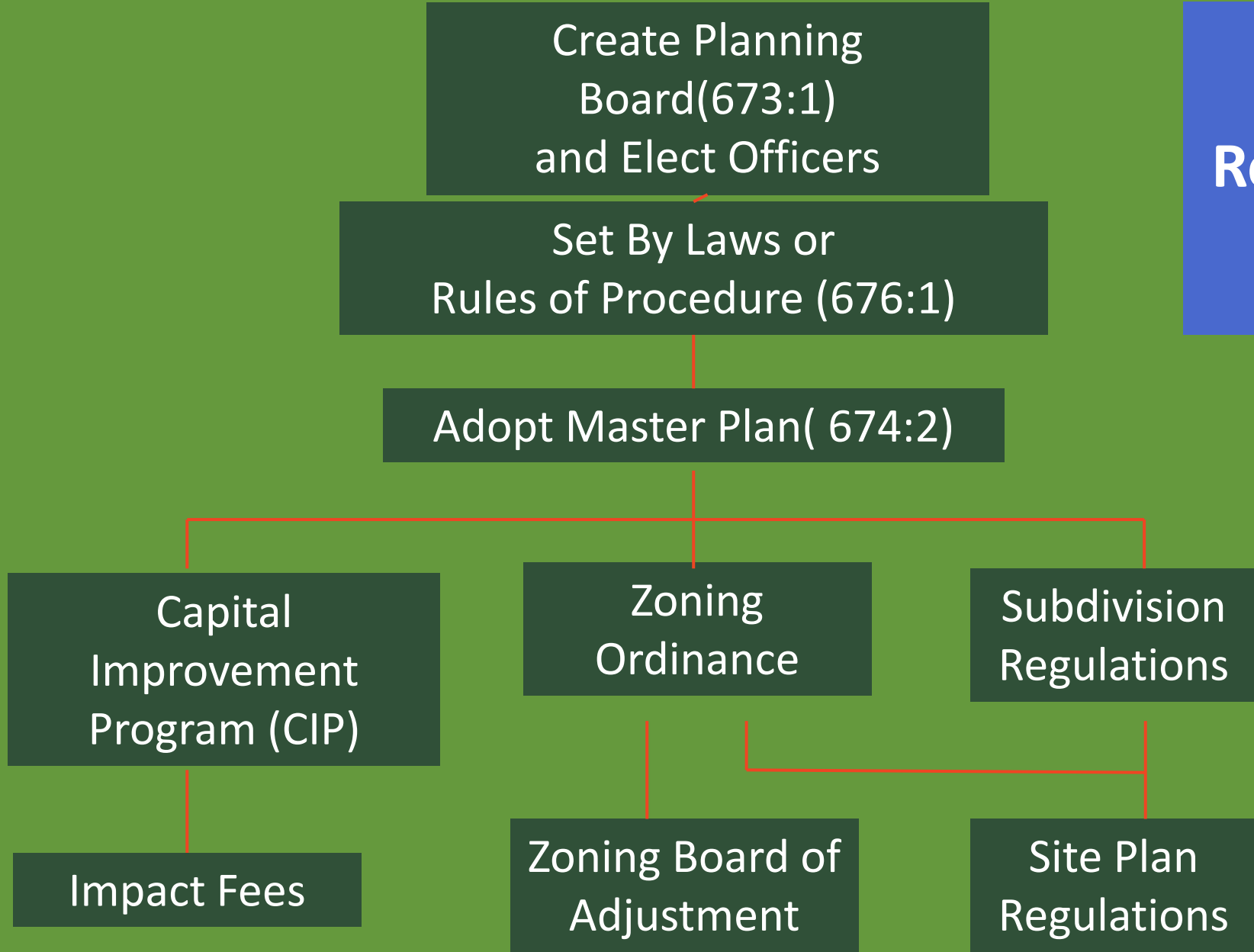
Section 672:7 Local Land Use Board.

Section 673:1 Establishment of Local Land Use Boards.

- ▶ Planning Board- 673:2
- ▶ Zoning Board of Adjustment- 673:3
- ▶ Historic District Commissions- 673:4
- ▶ Building Inspector/Building Code Board of Appeals-673:3.IV
- ▶ Others authorized by RSA 673 or the legislative body
 - ▶ Heritage Commission- 673:4-a.
 - ▶ Agriculture Commission- 673:4-b.
 - ▶ Housing Commission- 673:4-c

****Conservation Commissions are NOT considered a local land use board as defined in the RSA. They are governed by RSA 36-A.****

NH Land Use Regulations and Process



Planning Board Regulatory Functions

- Master Plan - RSA 674:2-4
- Zoning Ordinance - 674:16
- Subdivision Regulations - 674:36 & 36
- Site Plan Review Regulations - RSA 674:43 & 44
- Capital Improvements Program - RSA 674:5-8
- Growth Management - RSA 674:22
- Impact Fees - 674:21.V
- Default Regulator of Excavation Permits - RSA 155-E:1
- Driveway Regulations (RSA 236:13.VI)



Planning Board Non-Regulatory Functions

Subdivision and Site Plan Application Process

- Reviews and drafts regulations and accompanying documents(i.e. applications and checklists). (674:36) (674:43)
- Holds a public hearing to allow the public to speak and take public input.
- Deliberates in public and makes a decision on the proposal
- Excavation regulations and applications



Zoning Board of Adjustment

- ❑ Only Powers are in (RSA 674:33)
 - “Appeals of Administrative Decisions
 - Variances: Based on statutory criteria (674.33.1 (2)
 - Special Exceptions: based on local ZO criteria
 - *SE review is not site plan review
 - Equitable waiver (674:33-a.)
 - Request/Motion for Rehearing (677:2, 3)

- ❑ ZBA can reconsider their own decision

ZBA-Judicial Purpose

- ZBA is not legislative
- ZBA is not executive
- ZBA IS quasi-judicial –

**The ZBA *interprets* the ordinance
and regulations and applies that
interpretation to the application before it.**

ZBA Process

- ❑ ZBA collects evidence and hears testimony
- ❑ Decides on the merits. Decisions based on the facts and evidence, not emotion
- ❑ Approve, deny, modify, or impose conditions
- ❑ Burden of proof is on the applicant-
 - finances should not play a role in decision
- ❑ Develop a record for possible court review
 - Be clear in your decisions & reasons for them

How to be a good board member

- DO YOUR HOMEWORK!
- Be fair and unbiased
- Attend the meetings, be on time, look presentable
- Work with staff on learning ordinances
- Cooperate with other boards
- Be respectful to fellow members and the public

How to be a good board member (cont'd)

- DO NOT COMMUNICATE VIA EMAIL (RSA 91-A)
- DO NOT USE SOCIAL MEDIA TO DISCUSS APPLICATIONS
- Do not develop or express preconceived opinions about any applications
- Do not abstain

How to be a good board member (cont'd)

- Recuse yourself when appropriate (674:14,I)
- Juror Standard (500-A:12 Examination)
 - Expects to gain or lose from the case
 - Is related to either party
 - Has advised or assisted either party
 - Directly or indirectly given or formed an opinion
 - When in doubt-don't

Alphabet Soup of Planner-ese

Acronym - an abbreviation formed from the initial letters of other words and pronounced as a word.

AICP-American Institute of Certified Planners

ADU-Accessory Dwelling Unit

APA-American Planning Association

CIP-Capital Improvement Program

CUP-Conditional Use Permit

DRI- Development of Regional Impact

ERZ-Economic Revitalization Zone

Alphabet Soup of Planner-ese cont'd

Federal

EPA-Environmental Protection Agency

FEMA-Federal Emergency Management Agency

NFIP-National Flood Insurance Program

FHWA-Federal Highway Administration

SWPP-Storm Water Protection Plan

State

DES-Dept of Environmental Services

DOT-Dept of Transportation

DRA-Dept of Revenue Administration

Contact Information and Resources

Noah Hodgetts, Principal Planner

BEA, Office of Planning & Development

noah.d.hodgetts@livefree.nh.gov

603-271-2157

Brendan McDowell, Principal Planner

BEA, Office of Planning & Development

brendan.m.mcdowell@livefree.nh.gov

603-271-1765

Web Site: www.nhopd.com

Email: planning@livefree.nh.gov

Staff Contact Information:

<https://www.nheconomy.com/office-of->

[planning-and-development/who-we-are](https://www.nheconomy.com/office-of-planning-and-development/who-we-are)

Training Library on YouTube:

<https://www.youtube.com/channel/UCmk4E>

[EnIIIGZFZjqLYARAU](https://www.youtube.com/channel/UCmk4EEnIIIGZFZjqLYARAU)



New Hampshire Department of
BUSINESS AND
ECONOMIC AFFAIRS

Questions?

- PLAN Webinar Series
 - 3rd Thursday of each month
- Sign-up for e-mails about upcoming trainings and new publications by e-mailing planning@livefree.nh.gov with a request to join our training list.
- Visit our YouTube channel for a recording of this and other presentations.