

CHAPTER	IMPACTED PAGE #S	DESCRIPTION OF CHANGE
Global Changes	All	Year references on the cover page and in the footer. Updated links throughout.
Chapter II: <i>Powers and Duties of the Zoning Board of Adjustment</i>	II-8	<p>Deletion under section “Special Exceptions” of the information box about variances termination at the very end:</p> <p>In 2018, the legislature amended RSA 674:33, I-a and RSA 674:33, IV to allow municipalities to amend their zoning ordinance to provide for the termination of unexercised variances and special exceptions that were granted before August 19, 2013.</p> <p>The Planning Board must post a notice of termination in town hall for one year, stating that variances and special exceptions authorized before August 19, 2013 are scheduled to terminate, but shall be valid if exercised within 2 years of the expiration date of the notice. Variances and special exceptions subject to these automatic termination provisions may still be extended by the ZBA for good cause.</p>
	II-11	<p>Deletion under section “Variances” of the information box about variances termination:</p> <p>In 2018, the legislature amended RSA 674:33, I-a and RSA 674:33, IV to allow municipalities to amend their zoning ordinance to provide for the termination of unexercised variances and special exceptions that were granted before August 19, 2013.</p> <p>The Planning Board must post a notice of termination in town hall for one year, stating that variances and special exceptions authorized before August 19, 2013 are scheduled to terminate, but shall be valid if exercised within 2 years of the expiration date of the notice. Variances and special exceptions subject to these automatic termination provisions may still be extended by the ZBA for good cause.</p>
Chapter III: <i>Procedures</i>	III-9	<p>Revision to the section “Public Hearings”, 4th to last paragraph and deletion of the box after it:</p> <p>The board of adjustment must keep minutes of its meetings in accordance with the requirements of RSA 91-A:2, II. Minutes must include the names of members, persons appearing before the board, a brief description of the subject matter discussed, names of board members who made or seconded each motion and any final decisions.</p> <p>As of January 1, 2019, meeting minutes must also include the names of board members who made or seconded each motion. See RSA 91-A:2, II.</p>
	III-25	<p>Legislative-related addition to the section “Nonpublic Sessions” after the 1st paragraph:</p> <p>The decision to hold a nonpublic session must be included in the minutes of the open session. Minutes also must be kept of the nonpublic session. Minutes of such sessions shall record all actions in such a manner that the vote of each member is ascertained and recorded. Minutes of nonpublic sessions shall include the names of members, persons appearing before the board, and a brief description of the subject matter discussed and final decisions.</p> <p>In 2023 paragraph IV was added to RSA 91-A:3, III, requiring public bodies to either develop their own process to review minutes or to follow a statutorily created process. Either way, public bodies are required to review all nonpublic minutes that were previously sealed and determine whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. That review process must take place within 10 years of October 3, 2023. Meeting</p>

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		<p><u>minutes that were kept from the public that are not reviewed by the public body or agency on or before October 3, 2033 shall be subject to public disclosure without further action of the public body.</u></p>
<p>Chapter IV: <i>Appeal from A Board's Decision</i></p>	<p>IV- 4</p>	<p>Legislative-related additions under the section "Appeal to Superior Court" 2nd paragraph:</p> <p><u>RSA 677:5 Priority</u></p> <p>Any hearing by the superior court upon an appeal under RSA 677:4 shall be given priority on the court calendar.</p> <p><u>Beginning January 1, 2024 all land use related cases filed in superior court will be heard by the newly established Land Use Review Docket. The Land Use Review Docket has jurisdiction to hear appeals from decisions of local land use boards, including, but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The Land Use Review Docket is required to hold a structuring conference within 30 days of the Court receiving the notice of appeal. The court must then set a deadline for the filing of records related to the appeal and schedule a hearing on the merits within 60 days of receiving the certified record from the municipality. Decisions on the merits of land use appeals must then be made within 60 days of the hearing.</u></p>
<p>Appendix A: <i>Suggested Rules of Procedure for Local Boards of Adjustment</i></p>	<p>A-3</p>	<p>Revision to the section "Records", 3rd paragraph:</p> <p>Minutes of all meetings including names of board members, <u>names of board members who made or seconded each motion</u>, persons appearing before the board, and a brief description of the subject matter shall be open to public inspection within 5 business days of the public meeting. Approved minutes must also be posted on the website in a consistent and reasonably accessible location, or a notice must be posted and maintained on the website stating where minutes may be reviewed and copies requested. RSA 91-A:2 II</p>
	<p>A-6</p>	<p>Practice pointer addition at the very end:</p> <p><u>Practice Pointer - OPD recommends that you review board Rules Of Procedure with the municipal attorney before finalizing them. OPD also recommends that the board hold at least one public hearing before the board formally adopts the rules.</u></p>
<p>Appendix C <i>Suggested Forms</i></p>	<p>C-11, 12, 14, 15</p>	<p>Practice pointer addition to the "Individual Board Member Variance Worksheet", "Findings of Fact Template", "Notice of Decision – Granted Template", and "Notice of Decision – Denied Template" at the very end:</p> <p><u>Practice Pointer-OPD suggests boards review this worksheet with the municipal attorney for what would work best for your board.</u></p>

