

SB 237 – AS AMENDED BY THE SENATE

03/27/14 0973s

2014 SESSION

14-2656
03/04

SENATE BILL **237**

AN ACT relative to the definition of “abutter” for notice of land use board hearings.

SPONSORS: Sen. Fuller Clark, Dist 21; Sen. Lasky, Dist 13; Sen. Soucy, Dist 18; Sen. Watters, Dist 4; Rep. Elliott, Rock 8; Rep. D. Hooper, Straf 16; Rep. J. Belanger, Hills 27; Rep. Vail, Hills 29

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill changes the definition of “abutter” for notice of land use board hearings to include condominium or collective unit owners rather than the officers of the collective or association if there are 100 or fewer units.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Fourteen

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Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Abutter. Amend RSA 672:3 to read as follows:

2 672:3 Abutter. “Abutter” means any person whose property is located in New Hampshire and
3 adjoins or is directly across the street or stream from the land under consideration by the local land
4 use board. For purposes of receiving testimony only, and not for purposes of notification, the term
5 “abutter” shall include any person who is able to demonstrate that his *or her* land will be directly
6 affected by the proposal under consideration. For purposes of receipt of notification by a
7 municipality of a local land use board hearing, in the case of an abutting property being under a
8 condominium or other collective form of ownership, the term abutter means the officers of the
9 collective or association, as defined in RSA 356-B:3, XXIII; ***provided, however, that if the***
10 ***abutting property consists of 100 or fewer units, as defined in RSA 356-B:3, XXIX, the term***
11 ***“abutter” shall include each unit owner, and not the officers of the collective or***
12 ***association. If any such unit is owned in the form of time sharing interests or other***
13 ***multiple-property interests, only the first-named owner listed in the municipality’s records***
14 ***shall be deemed the abutter.*** For purposes of receipt of notification by a municipality of a local
15 land use board hearing, in the case of an abutting property being under a manufactured housing
16 park form of ownership as defined in RSA 205-A:1, II, the term “abutter” includes the manufactured
17 housing park owner and the tenants who own manufactured housing which adjoins or is directly
18 across the street or stream from the land under consideration by the local land use board.

19 2 Effective Date. This act shall take effect 60 days after its passage.