

SB 47 - AS AMENDED BY THE HOUSE

01/26/2023 0123s  
8Jun2023... 1970h

2023 SESSION

23-0984  
10/05

SENATE BILL **47**

AN ACT establishing a commission to study barriers to increased density of residential development in New Hampshire.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Rosenwald, Dist 13; Sen. Chandley, Dist 11; Sen. Whitley, Dist 15; Sen. Soucy, Dist 18; Rep. DiLorenzo, Rock. 10; Rep. Preece, Hills. 17; Rep. Read, Rock. 10

COMMITTEE: Election Law and Municipal Affairs

---

ANALYSIS

This bill establishes a commission to study barriers to increased density of residential development in New Hampshire.

-----

Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough]~~.  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 47 - AS AMENDED BY THE HOUSE

01/26/2023 0123s  
8Jun2023... 1970h

23-0984  
10/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT                    establishing a commission to study barriers to increased density of residential development in New Hampshire.

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

1            1 New Section; Office of Planning and Development; Commission to Study Barriers to Increased  
2 Density of Residential Development in New Hampshire. Amend RSA 12-O by inserting after section  
3 58 the following new section:

4            12-O:58-a Commission to Study Barriers to Increased Density of Residential Development in  
5 New Hampshire.

6            I. There is established a commission to study barriers to increased density of residential  
7 development in New Hampshire. The membership of the commission shall be as follows:

8                    (a) Three members of the senate, one of whom shall serve on the election law and  
9 municipal affairs committee and one of whom shall serve on the energy and natural resources  
10 committee, appointed by the senate president.

11                   (b) Five members of the house of representatives, 2 of whom shall serve on the  
12 municipal and county government committee and two of whom shall serve on the environment and  
13 agriculture committee, appointed by the speaker of the house of representatives.

14                   (c) The commissioner of the department of business and economic affairs, or designee.

15                   (d) The commissioner of the department of environmental services, or designee.

16                   (e) The executive director of the New Hampshire housing finance authority, or designee.

17                   (f) One representative of the New Hampshire Association of Realtors, appointed by the  
18 association.

19                   (g) One person to represent builder and business interests, chosen jointly by the New  
20 Hampshire Home Builders Association and the New Hampshire Business and Industry Association.

21                   (h) One person to represent planning interests, chosen jointly by the New Hampshire  
22 Planners Association, the New Hampshire Association of Regional Planning Commissions, and the  
23 New Hampshire Municipal Association.

24                   (i) One person to represent conservation interests, chosen jointly by the Society for the  
25 Protection of New Hampshire Forests, the Nature Conservancy, and the New Hampshire Association  
26 of Conservation Commissions.

27            II. The commission shall study issues related to the density of residential development in  
28 New Hampshire. The commission's duties shall include revisiting the actions of the commission  
29 established in 2019, 300:1, and shall specifically include, but not be limited to:

**SB 47 - AS AMENDED BY THE HOUSE**

**- Page 2 -**

1 (a) Considering minimum standards of residential development density for different  
2 housing types by considering the availability of public water and sewer infrastructure or other  
3 appropriate alternatives and account for variability of environmental conditions.

4 (b) Studying the impacts of development including, but not limited to:

- 5 (1) School enrollment and property values;  
6 (2) Traffic, the maintenance of roads, and public works department staffing;  
7 (3) Required increases in municipal services such as police, fire, ambulance, town  
8 hall offices hours/staffing;  
9 (4) Trash removal services/transfer station hours and staffing; and  
10 (5) Water resources.

11 (c) Considering potential model ordinances to support municipalities in their planning  
12 work.

13 (d) Considering build out potential of existing residential properties, including single-  
14 family homes, duplexes, triplexes, quadplexes, and other existing property types, based on the  
15 existence of water/sewer infrastructure or lack thereof.

16 (e) Considering department of environmental services requirements for individual  
17 sewage disposal systems contained in New Hampshire code of administrative rules chapter Env-Wq  
18 1000 relative to overall load limit requirements, subdivision lot size requirements, flexibility for  
19 shared systems and innovative/alternative technologies, and consideration for implementation of  
20 septic systems on large tracts of land, which but for department of environmental services  
21 regulations do not require subdivision.

22 (f) Recommending potential legislation resulting from the work of the commission.

23 III. The members of the commission shall elect a chairperson and clerk from among the  
24 members. The first meeting of the commission shall be called by the first-named senate member.  
25 The first meeting of the commission shall be held within 45 days of the effective date of this section.  
26 A majority of the commission shall constitute a quorum. The commission shall be administratively  
27 attached to the department of business and economic affairs, office of planning and development.

28 IV. Legislative members of the commission shall receive mileage at the legislative rate when  
29 attending to the duties of the commission.

30 V. The commission shall submit an interim report of its findings and any recommendations  
31 for proposed legislation to the president of the senate, the speaker of the house of representatives,  
32 the senate clerk, the house clerk, the governor, and the state library on or before July 1, 2024 and  
33 shall submit a final report on or before November 1, 2024.

34 2 Repeal. RSA 12-O:58-a, relative to the commission to study increased density of residential  
35 development in New Hampshire, is repealed.

36 3 Effective Date.

37 I. Section 2 of this act shall take effect November 1, 2024.

1           II. The remainder of this act shall take effect upon its passage.