

Committee Report

REGULAR CALENDAR

March 10, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Municipal and County Government to which was referred HB 588,

AN ACT relative to building codes for tiny houses.

Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Tony Piemonte

FOR THE MAJORITY OF THE COMMITTEE

MAJORITY COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 588
Title:	relative to building codes for tiny houses.
Date:	March 10, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The tiny house phenomenon was highly publicized as a low cost, smaller form of traveling, much like the recreational campers at one quarter the size (412 square feet). With the idea that tiny homes would be on foundations in a permanent manner, (tiny house parks), the majority of the committee opposed and agreed that tiny homes should be addressed at the local level. The New Hampshire Municipal Association also opposed and felt that very few people would have interest in this as a housing solution.

Vote 10-9.

Rep. Tony Piemonte
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 588, relative to building codes for tiny houses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tony Piemonte for the **Majority** of Municipal and County Government. The tiny house phenomenon was highly publicized as a low cost, smaller form of traveling, much like the recreational campers at one quarter the size (412 square feet). With the idea that tiny homes would be on foundations in a permanent manner, (tiny house parks), the majority of the committee opposed and agreed that tiny homes should be addressed at the local level. The New Hampshire Municipal Association also opposed and felt that very few people would have interest in this as a housing solution. **Vote 10-9.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

March 10, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 588,

AN ACT relative to building codes for tiny houses.

Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill OUGHT TO PASS.

Rep. Jim Maggiore

FOR THE MINORITY OF THE COMMITTEE

MINORITY COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 588
Title:	relative to building codes for tiny houses.
Date:	March 10, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

The tiny homes bill is the product of a bi-partisan study committee that began in 2018. This bill is intended to offer people across the demographic spectrum an alternative for affordable, economical, ecologically responsible, and safe housing. Vital issues about certifying the structures, inspections, taxation, transportation, sanitation, water, and more were all addressed in the bill and in the amendment. There was strong support with 45 in favor and only 8 opposed on the remote sign-in sheet. The majority did not offer any reasoned arguments against passing this small measure of relief for NH residents. Affordable housing is a critical issue in New Hampshire and as such the minority of the committee oppose the Inexpedient to Legislate motion on this bill.

Rep. Jim Maggiore
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 588, relative to building codes for tiny houses. **OUGHT TO PASS.**

Rep. Jim Maggiore for the **Minority** of Municipal and County Government. The tiny homes bill is the product of a bi-partisan study committee that began in 2018. This bill is intended to offer people across the demographic spectrum an alternative for affordable, economical, ecologically responsible, and safe housing. Vital issues about certifying the structures, inspections, taxation, transportation, sanitation, water, and more were all addressed in the bill and in the amendment. There was strong support with 45 in favor and only 8 opposed on the remote sign-in sheet. The majority did not offer any reasoned arguments against passing this small measure of relief for NH residents. Affordable housing is a critical issue in New Hampshire and as such the minority of the committee oppose the Inexpedient to Legislate motion on this bill.

Original: House Clerk

Cc: Committee Bill File

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 588

BILL TITLE: relative to building codes for tiny houses.

DATE: March 8, 2021

LOB ROOM: Hybrid

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Piemonte Seconded by Rep. Ayer Vote: 10-9

MOTIONS: RECONSIDER

Moved by Rep. Mangipudi Seconded by Rep. Stavis Vote: 9-10

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



2021 SESSION

Municipal and County Government

Bill #: HB588 Motion: ITL AM #: _____ Exec Session Date: 3/8/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Dolan, Tom Chairman	10		
Piemonte, Tony Vice Chairman	1		
MacDonald, John T. Clerk	2		
Tripp, Richard P.	3		
Guthrie, Joseph A. WALLACE	4		
Lascelles, Richard W.	5		
McBride, Everett P.	6		
Melvin, Charles R.	7		
Ayer, Paul F.	8		
Pauer, Diane	9		
Porter, Marjorie A.		1	
Treleaven, Susan GS		2	
Gilman, Julie D.		3	
Maggiore, Jim V.		4	
Stavis, Laurel		5	
Mangipudi, Latha D.		6	
Vann, Ivy C.		7	
Klee, Patricia S.		8	
Gallager, Eric B.		9	
TOTAL VOTE:	10	9	



2021 SESSION

Municipal and County Government

Bill #: HB588 Motion: to Reconsider AM #: _____ Exec Session Date: 3/8/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Dolan, Tom Chairman		10	
Piemonte, Tony Vice Chairman		1	
MacDonald, John T. Clerk		2	
Tripp, Richard P.		3	
Guthrie, Joseph A. Wallace		4	
Lascelles, Richard W.		5	
McBride, Everett P.		6	
Melvin, Charles R.		7	
Ayer, Paul F.		8	
Pauer, Diane		9	
Porter, Marjorie A.	1		
Treleaven, Susan GS	2		
Gilman, Julie D.	3		
Maggiore, Jim V.	4		
Stavis, Laurel	5		
Mangipudi, Latha D.	6		
Vann, Ivy C.	7		
Klee, Patricia S.	8		
Gallager, Eric B.	9		
TOTAL VOTE:	9	10	

Public Hearing

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 588

BILL TITLE: relative to building codes for tiny houses.

DATE: March 3, 2021

LOB ROOM: Hybrid **Time Public Hearing Called to Order:** 12:46 p.m.

Time Adjourned: 1:45 p.m.

Committee Members: Reps. Dolan, Piemonte, J. MacDonald, Tripp, Guthrie, Lascelles, McBride, Melvin, Ayer, Pauer, Porter, Treleaven, Gilman, Maggiore, Stavis, Mangipudi, Vann, Klee and Gallagher

Bill Sponsors:

Rep. Testerman

Rep. Maggiore

Rep. Mason

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Testerman - Prime sponsor of the bill. Introduced the bill. Will allow tiny houses in New Hampshire. Amendment takes the wheels off of town houses.

***Joe Mendola, Real Estate Broker** - Originally introduced last year. Created a study committee. New Hampshire needs to solve the problem of work force housing. Our businesses we'll follow them out of state. They need housing for less than \$100,000 dollars. They need the flexibility to move on. It is imperative this bill be passed. In closing, it is pretty simple if we tailor our laws to accommodate tiny homes on foundations.

Rep. Mangipudi: Is there a limit on how many houses on a lot? ANS: Four units to 1 acre of land.

Rep. Tripp: Either Municipal sewer and water is that still the exception? ANS: If you have self contained system that is okay.

Rep. Maggiore: Would ask for OTP. We had to take the wheels off this bill. Economically and environmentally concerned.

Rep. Pauer: Is it poured on cynderblock foundation? ANS: We have someone on the list that can provide more details.

Steve Paquin, NH Builders Association - In favor of the amendment of removing the wheels. Appendix Q may be needed to be added to this bill. Typically a frost protected foundation, multiple ways to attach a tiny home to a foundation. A tiny home will be done through a town building code as to how it will be built.

Rep. Ayer: If you had a one acre lot, you could spit the lot into four lots? ANS: It is governed by the size of the lot for the community. We want to get parks going, 10 to 15 acres.

***Jacqueline Walker, Resident of NH** - Found a bargain in Dover. I have been living in a tiny home. Diversity of different housing options. We want to be recognized and taxed. I urge you to vote to support this bill.

Rep. Stavis: Question for Maggiore: Lack of laws for hoe owner associations. There is no state legislation to support the associations on their by laws? ANS: I cannot come up with an answer. A tiny home is a completely different animal.

Rep. Stavis: Could you use this as an opportunity to strengthen New Hampshire home owner associations? ANS: Yes, I would be glad to work with you on it.

Rep. Tripp: Dimensional requirements? ANS: They are specifically outlined in Appendix Q. Bill may have to be amended to include the information from Appendix Q. I will work to insure we plug this hole.

Cordell Johnston, NH Municipal Association - Opposes the bill. Believe it should be addressed on the local level. Eliminates size requirements. State law allows workforce housing, modular housing, etc. HB 586 said nothing about tiny homes. To require every city and town to amend their ordinances, is over reach. I strongly suggest these matter to the local municipalities.

***Rob Tandiff, NH Department of Environmental Services (DES)** - Self contained provisions. The Department does not allow these type of tanks, due to the high costs. Only referring to the houses that are not connected to water and sewer. Waste water loading. The lot may not support that current water sewer load. Tiny home park, should be the same as modular home parks. Waste water is waste water and that is the concerns of the Department.

Rep. Treleven: Community water and septic if they are accessible to town water and sewer? ANS: Absolutely. The lot where it is located would have to support the loads of the systems attached to it.

Michelle Sanborn - I am living in a tiny home on wheels. I am in my 50's and divorced. I cannot afford to buy a home, being forced to be put on a permanent foundation. I can't find property because they determine it to be a mobile home. Feels removing the rules is problematic. I am in favor of defining tiny homes.

Alex Kish - I am an old guy. This is just not for millennials. They need to push it on the local level. They deserve to be accommodated. They need the space to meet their needs. Not familiar with Appendix Q.

***Gerald Miller** - Written testimony. I am in favor of the original bill. I feel sorry for the people this will not benefit We need to recognize tiny houses as a type of dwelling.

Ben Frost, NH Housing Finance Authority - The amendment is an improvement. This amendment would not solve the affordable housing, but would help. I will be glad to help work on the amendment if needed.

Stephanie Burrows, Tiny Homes of New England - The amendment was not on line. I am in support of tiny homes in New Hampshire. I want to thank you for this bill. I am unaware of the bill. There are associations available throughout the country.

2:25 p.m. - Chairman Dolan - Reopened the hearing and recessed it until March 8, 2021.

March 8, 2021 - Hearing Re-opened at 8:45 a.m.

Rep. Maggiore: 2021-0630h - won't be offering this amendment. 2021-0510h - Removed the wheels from the bill.

Rep. Tripp: Attachment to Appendix Q.

Rep. Maggiore: Appendix Q sets forth all the regulations for tiny homes (400 sq. feet). Codes all building officials will go by for their inspection.

Rep. Tripp: Where would it be available? ANS: Appendix Q is in the IRC. He will send it to the committee.

Rep. Gallagher: What does IRC stand for? ANS: International Residential Code.

8:55 a.m. - Hearing ended.

Respectfully submitted,

Rep. John MacDonald
Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB588 on 2021-03-03

Support: 45 Oppose: 8 Neutral: 2 Total to Testify: 9

<u>Name</u>	<u>City, State Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Johnston, Cordell	Concord, NH cjohnston@nhmunicipal.org	A Lobbyist	NH Municipal Association	Oppose	Yes (3m)	3/2/2021 12:43 PM
Kish, Alex	Newport, NH OnSpecAlex@gmail.com	A Member of the Public	Myself	Support	Yes (0m)	3/1/2021 7:19 PM
Maggiore, Rep. Jim	North Hampton, NH jim.maggiore@leg.state.nh.us	An Elected Official	Myself	Support	Yes (2m)	3/2/2021 12:52 PM
mendola, joe	Warner, NH joe@nainorwoodgroup.com	A Member of the Public	Myself	Support	Yes (5m)	3/2/2021 11:51 AM
Miller, Gerald	Hampton, NH ghmiller2010@gmail.com	A Member of the Public	Myself	Support	Yes (0m)	2/25/2021 11:23 AM
Paquin, Steven	NHBOA, NH Codes@wolfeboronh.us	A Member of the Public	New Hampshire Building Officials Association	Neutral	Yes (10m)	3/2/2021 10:04 AM
Sanborn, Michelle	Alexandria, NH michelle706988@gmail.com	A Member of the Public	Myself	Support	Yes (3m)	3/1/2021 11:23 PM
Tardif, Rob	Concord, NH robert.a.tardif@des.nh.gov	State Agency Staff	Myself	Neutral	Yes (10m)	3/1/2021 11:37 AM
Walker, Jacqueline	Dover, NH jwalker4815@gmail.com	A Member of the Public	Myself	Support	Yes (5m)	3/1/2021 3:03 PM

Testimony

Tiny Houses

Overview

Tiny houses currently don't have a place as an allowed use in New Hampshire Legislative Law in RSA 674. HB 588 would correct this.

House Bill 312 was passed in the State Legislature and signed by the Governor in 2019 to form a study committee to see if regulations could be formulated to allow tiny houses to be allowed in New Hampshire.

HOUSE BILL 312 AN ACT establishing a committee to study tiny houses.

SPONSORS: Rep. Testerman

COMMITTEE: Municipal and County Government

The committee shall study issues associated with state and local permitting of tiny houses suitable for year-round occupancy, including both tiny houses on permanent foundations and tiny houses on wheels. Such issues shall include, but not be limited to, building codes, fire codes, conflicts with local land use ordinances and regulations, and other local codes. The committee shall determine what constitutes a "tiny house," both on a permanent foundation and on wheels. The committee may seek the testimony of any individuals or organizations it deems appropriate.

Some of the issues listed in the bill reviewed by the study committee are:

1. Foundation vs. On Wheels (Permanent vs. Mobile)
2. Utilities (power, water, gas, sewer)
3. Zoning for lot size, setbacks, parking, height limits, and building footprint and materials
4. Fire protection (egress, suppression, flammable materials)

As Rep. Dave Testerman from Franklin said when interviewed on WMUR Business News, he received many letters and emails from people weighing in for approval of being able to site a tiny home in communities, but there are a lot of legislators that are also members of town zoning and planning commissions that are hesitant. The comment made by the host though in the positive was that the thought was that tiny homes could be good for retirees looking to downsize, young people looking to get into the housing market, and for workforce affordable living.

Representatives, Senators, and local planners need to be more in tune with the tiny home culture. Or, any kind of legislation approved will require so many onerous conditions; the cost savings of doing a tiny home will not be realized. According to WMUR's research in 2018, only 68% of tiny house owners are mortgage free.

WMUR Business News talked about the issue of the lack of new housing construction in New Hampshire that was affordable for those low wage income

earners, the elderly on fixed incomes wishing to downsize, and young people wishing to stay in their hometowns with a home of their own that they can afford to build.

Some of the housing issues brought up were:

- >50% cannot afford housing mortgage requirements
- \$1,400/month rent for apartment, increasing yearly
- \$296,000 average cost to build a house (this figure has gone up since survey)
- \$54,000/year salary to afford basic living, (52 weeks, 40 hour week)
 - aprox. \$25/hour
- minimum wage (NH) \$7.25/hour (can only afford to build \$84,000 house)
- unemployment (NH) 2.5% (lack of workforce able to live here, not lack of jobs)
- not enough work force housing, result in:
 - not enough workers that can live near where they work (can't afford to commute)
 - businesses close because no workforce
 - businesses don't develop because no workforce
- regulations restrict building, drive up costs
- local officials drive type of building based on what they think the community wants

Unfortunately, tiny homes do not fit the criteria of a mobile home trailer, which are regulated by specific building codes and zoning locations (trailer parks). Essentially, I think that you could put a tiny home in one of those private campgrounds (in NH) that seem to be set up with permanent camping trailers, but you might not be able to actually live in it year round, and it would still involve monthly fees and not the desired goal of ownership.

Costs for tiny homes for sale I have found on-line (building only) between 100 and 200 square feet are between \$10,000 and \$60,000. Between 200 and 400 square feet, \$50,000 to \$120,000. Tiny houses that were less than 100 square feet cost about \$100 per square foot. These are listed mostly in the southern and southwestern states. Some I found in the Northwest and California. A few I found in Vermont and Connecticut. The 128 square foot tiny house the young woman who tried to get variances to be allowed to stay in her parent's back yard in Hampton Falls cost her \$26,000. Sadly the town argued that due to lack of legislation allowing it, she was denied and had to abandon living there. HB 588 would correct this.

The cost of the land in some communities, not all, plus the cost of a tiny house puts it in the range of possible affordability for a minimum wage owner (much better for someone making \$15/hr), or someone on a fixed income. Although when you add in the cost of installing on site services it may still be out of reach of affordability without a mortgage. To get a mortgage, tiny houses need to be recognized as part of the main stream of building and zoning regulations, which currently is not the case. HB 588 would correct that.

The study committee put together by HB 312 held about a half dozen meetings and heard from representatives from the Municipal Association, Building Inspectors Association, Department of Environmental Services, Department of Revenue Administration, Department of Transportation, NH State Police, developers, building contractors, other stakeholders, interested parties and the general public. The point being that the committee listened to and brought in experts to answer any questions that arose in the discussions around the four issues listed above before the committee and any others that were raised. I was unable to attend every meeting, but I did manage to get to most of them. HB 588 truly represents from my perspective what was presented in the study committee.

There was an article that I found online, expressing some of the opposing issues that the study committee discussed, with the headline:

Tiny house law proposed in N.H.
By ANNA BROWN
Citizens Count
Published: 2/24/2021 5:19:05 PM

(Article issues are in *red Italics*. The committees take on them in normal black script, and addressing the concerns in this bill are the section numbers and letters preceded by (HB 588).)

There is concern that tiny houses may lower nearby property values.

A concern is not a surety. The Department of Revenue Administration was brought in to address this issue with the study committee and did not have any examples showing this was a concern. Nor any queries on the Internet indicate that was an issue in other states that allow tiny houses.

Opponents of HB 588 argue that New Hampshire should not force towns and cities to accept tiny houses. Instead, towns and cities should be able to decide if tiny houses are appropriate in their communities.

Could this be considered Snob Zoning? Possibly.

Towns also already have trouble collecting taxes on manufactured homes and RV camps. Tiny house owners would probably pose similar challenges.

The Department of Revenue Administration also addressed this issue with the study committee and indicated that the same problem exists with other building structures. It just comes with the job of the Tax Collector.

(HB 588) 674:77 Individual Tiny Houses. . IV.(a) If built on a chassis, a tiny house used for habitation shall be taxable as real estate, but shall not otherwise be regarded as real property. (b) If a tiny house is located on the land of another, the owner of the tiny house shall be liable for property taxes on the tiny house according to RSA 72:7-a unless exempted under RSA 72:7- d. (c) A tiny house may be deemed a unit of workforce housing for purposes of satisfying the municipality's

obligation under RSA 674:59 if the unit meets the criteria in RSA 674:58, IV for rental units. (d) When a tiny house on wheels is removed from a property, the owner of such tiny house shall notify the municipality in order to remove the property tax liability.

HB 588 requires tiny houses on wheels to have "a seal from a third party inspection company authorized to provide such certification for tiny homes or recreational vehicles," but there's no guarantee that company's standards will match a town's desired standards.

(HB 588) 674:74 Definition. As used in this subdivision, "tiny house" means a structure intended for year round occupancy that meets the requirements of the state building code, as defined in RSA 155-A,....

Which most if not all towns with zoning and building regulations adopt RSA 155-A as standards, and

(HB 588) 674:76 Requirements for Tiny Houses on Wheels. Any tiny house on wheels shall be mounted on a chassis that is licensed, registered with state and local governmental agencies, and inspected. A tiny house on wheels shall also have a seal from a third party inspection company authorized to provide such certification for tiny homes or recreational vehicles, which indicates that the structure has successfully passed inspection at specific stages of construction for compliance with safety, structure, and energy efficiency standards. Such seal shall be permanently affixed to the tiny house. A local engineer shall certify the connection of the tiny house to the chassis.

Lastly, there is still ambiguity in building codes around safety standards for tiny houses, particularly those on trailers.

(HB 588) 674:75 General Requirements. II. All municipal and state building codes for single family dwelling units shall apply to tiny houses including, but not limited to, zoning, fire, safety, emergency vehicle access, attachments to electricity, plumbing, and public or private sewer systems, if required.

I have lived in New Hampshire my whole life, 40 years of that as a Licensed Land Surveyor, Wetland Scientist, and Septic Designer. I have a son who is adamantly intent on someday being able to live in and own a tiny house, preferably in New Hampshire. I had a Great Uncle who lived in a tiny house that was less than 100 square feet. I would have to say that he was probably one of the happiest persons I've ever known in my entire life. Laughed at practically everything in no small fact because of his style of living. Little maintenance required and if it did, not a lot of cost involved. Easily and inexpensively heated, not a lot of electricity needed, very little waste and impact on the environment and no clutter because he saw no need to collect stuff. Didn't seem to have a worry in the world. Definitely enjoying life. He was not an anomaly in my early years growing up. I had plenty of other examples of people I knew who lived a much simpler life in a tiny house, although my Great Uncle Henry was definitely on the extreme tiny size. What most stays with

me is that they were all very happy individuals. More so than the majority of people I met in my professional life, before I retired, living in the McMansions extruded onto the landscape. Burdened with the time and money required for maintaining stuff and cost of utilities. A lot of it wasted energy and a strain on the environment. In researching tiny houses along with my son, what I hear more often than not is the happiness derived from living more simply and in today's jargon, leaving a smaller carbon footprint. HB 588 will help with that.

I support HB 588 and I hope you members of the House Municipal and County Government will too.

Respectfully submitted,

Gerald H. Miller, LLS retired
31 Ashbrook Drive
Hampton, NH 03842-1002

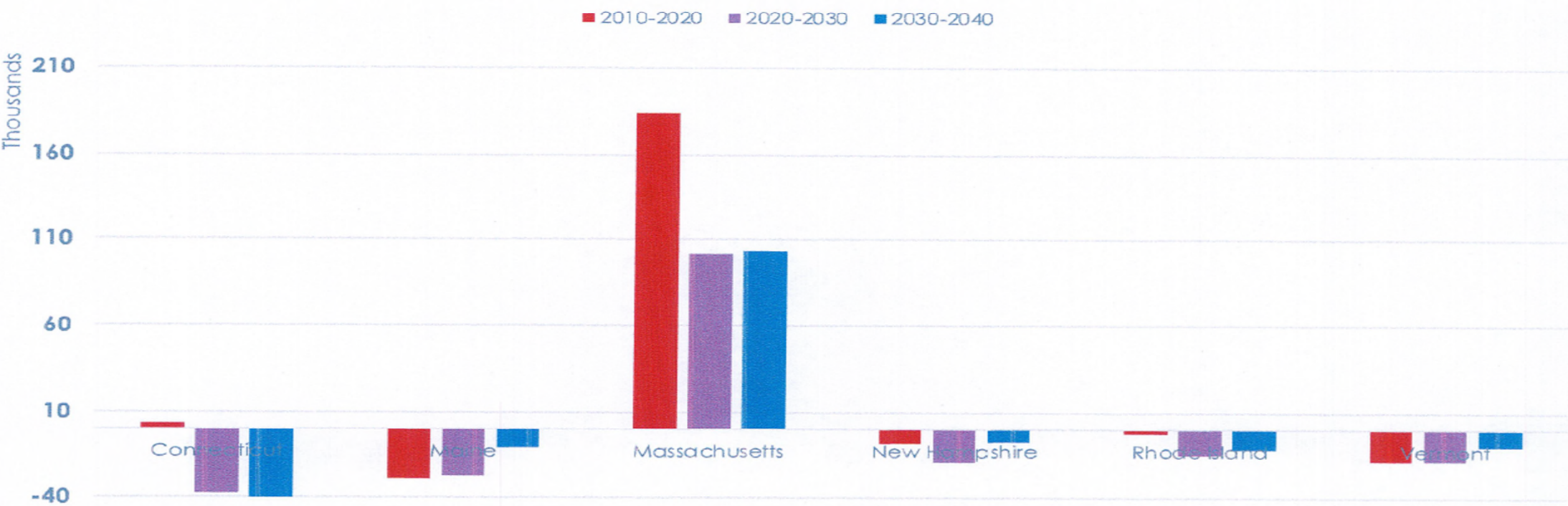
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ghmiller2010@gmail.com

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HOUSING MORE AFFORDABLE FOR OUR
22-35 YEAR OLD GENERATION**



Under 35 Population Growth in New England, 2010 - 2040

Massachusetts Only NE State to See Growth Between 2020 and 2040



Source: University of Virginia Weldon Cooper Center, Demographics Research Group. (2018). National Population Projections
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WE NEED TO THINK OUTSIDE THE BOX

- **IN THE 1970'S THERE WAS A GREAT NEED FOR EXECUTIVE HOUSING FOR THE HI-TECH EXECUTIVES COMING TO WORK FOR DIGITAL EQUIPMENT CORPORATIONS. THAT HOUSING DID NOT EXIST.**
- **DEVELOPERS LIKE KARL AND LOUISE NORWOOD, PETER FLOOD AND JOHN STABILE RISKED THEIR PRIVATE CAPITAL TO BUILD THIS TYPE OF HOUSING SUITABLE FOR THE WORKFORCE OF THAT DAY.**

TODAY WE NEED TO THINK OUTSIDE THE BOX FOR THE NEEDS OF OUR PRESENT DAY WORKFORCE

- **LET'S BRING THE TINY HOUSE ON WHEELS (THOW) MOVEMENT TO NH**
- **NEW HAMPSHIRE IS THE FIRST IN THE NATION PRIMARY STATE. LET'S BE THE FIRST IN THE NATION STATE TO HAVE THOW BE A PART OF OUR STATE ZONING REGULATIONS LIKE MANUFACTURING HOUSING PARKS ARE. RSA 674:32**

WHY TINY HOUSES ON WHEELS

- **MILLENNIALS WANT TO LIVE MINIMALLY**
- **THEY WANT NEW CONSTRUCTION**
- **THEY WANT TO BE ABLE TO AFFORD THE HOUSING**
- **A THOW CAN BE OWNED FOR BETWEEN \$45,000 AND \$80,000**
- **THE MILLENNIAL GENERATION DOES NOT WANT TO BE TIED TO THE TRADITIONAL HOUSING CYCLE**

OBJECTIVE IS TO FIND BIPARTISAN SPONSORSHIP IN THE LEGISLATURE TO DEVELOP AN RSA FOR (THOW) PARKS

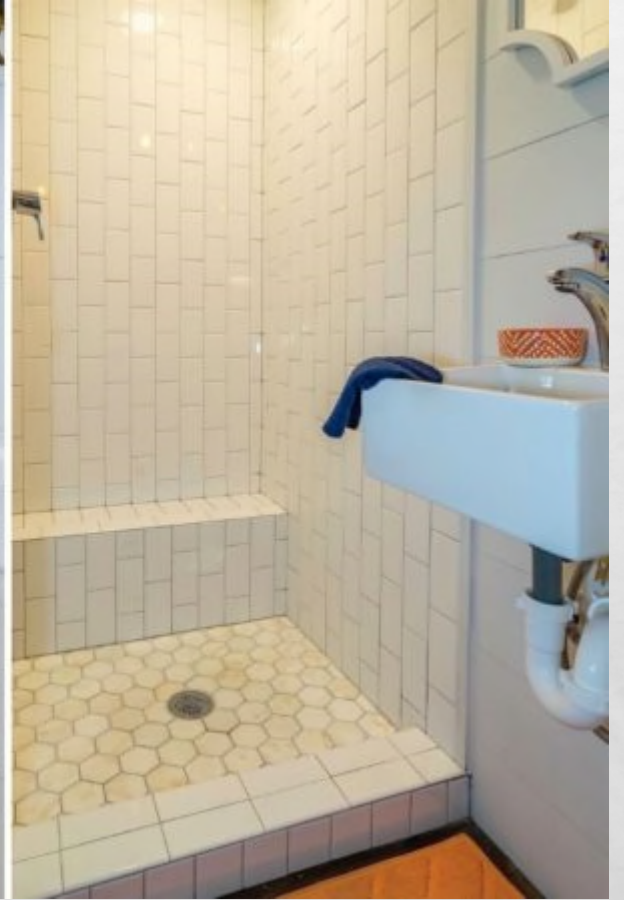


THIS IS NOT YOUR FATHER'S MOBILE HOME



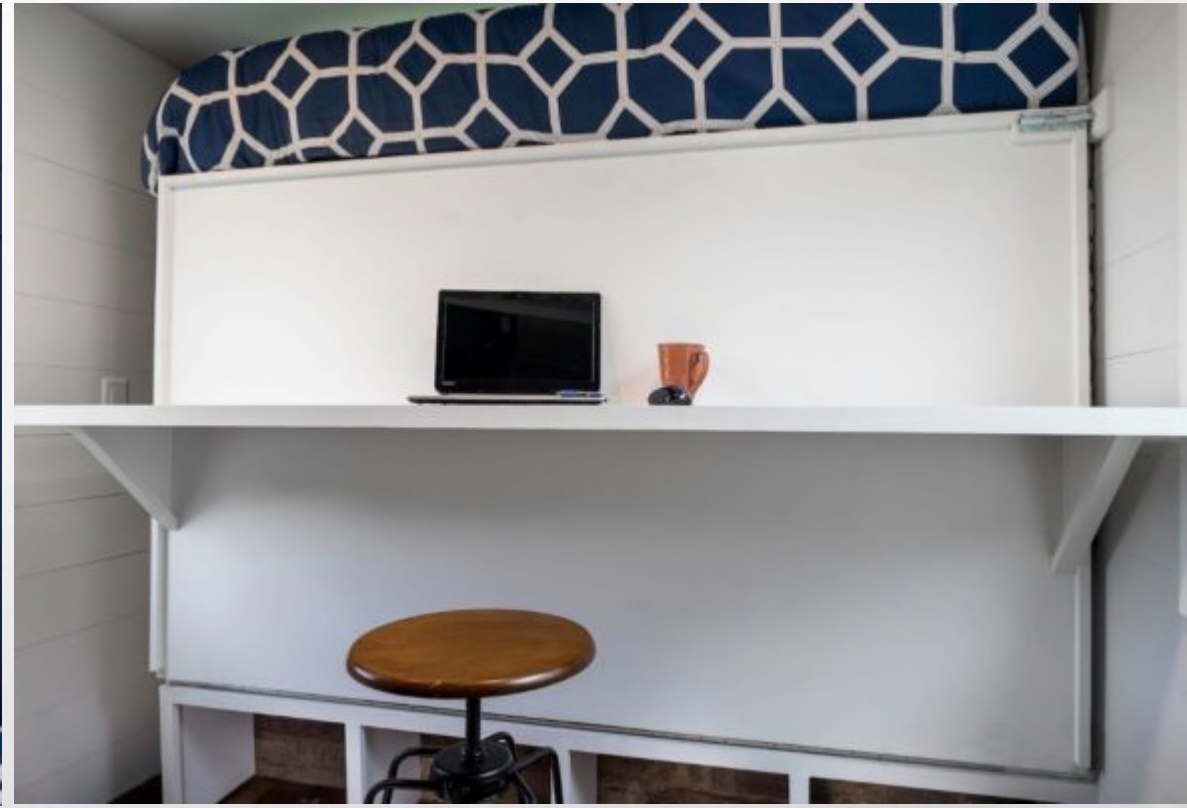


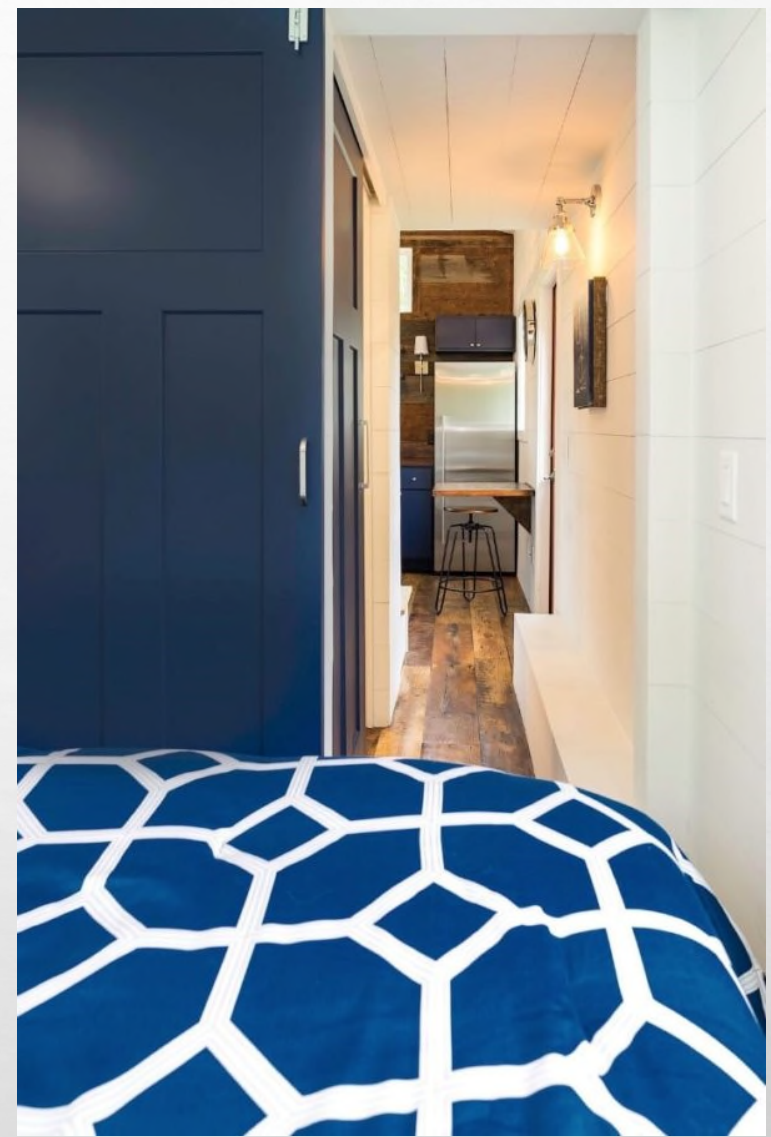




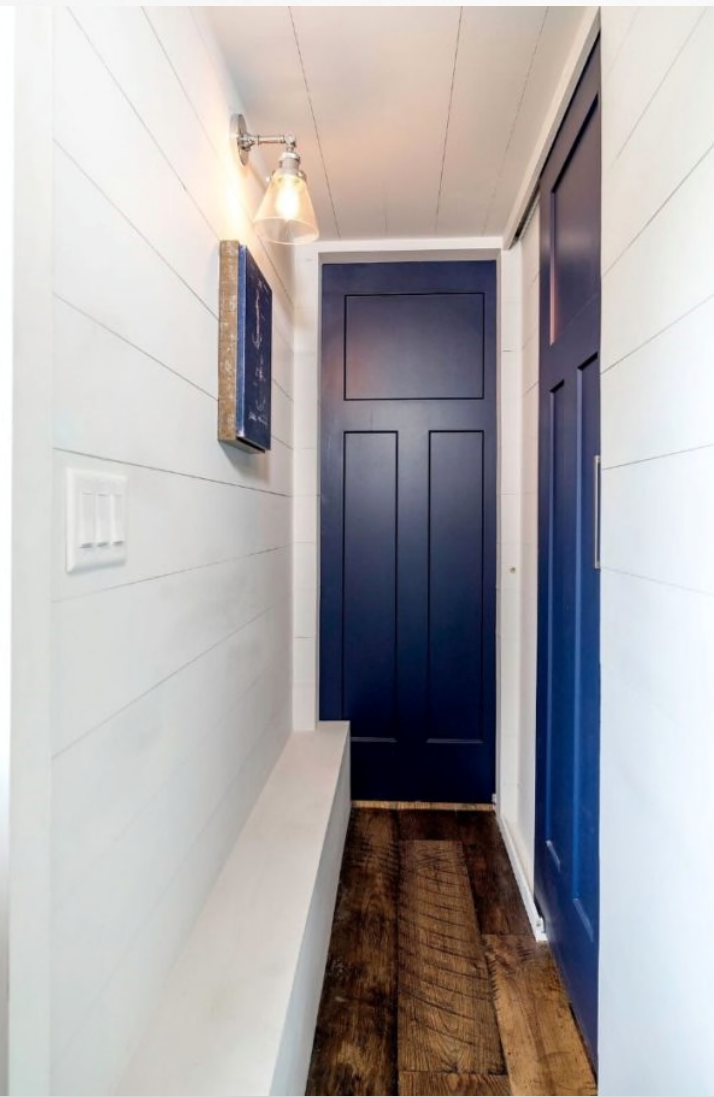














Archived: Thursday, April 22, 2021 9:49:36 AM

From: [Gerald Miller](#)

Sent: Friday, February 26, 2021 6:26:03 AM

To: ~House Municipal and County Govt

Subject: Written testimony for March 3rd public hearing on HB 588

Importance: Normal

Mr. Chairman and Members of the Municipal and County Government Committee,

Pleas see the attached written testimony in favor of HB 588 for the public hearing scheduled for March 3rd.

Respectfully submitted,

Gerald H. Miller, LLS retired
31 Ashbrook Drive
Hampton, NH 03842-1002

603-494-8506
ghmiller2010@gmail.com

Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Mary Magnusson](#)
Sent: Sunday, February 28, 2021 4:40:41 PM
To: [~House Municipal and County Govt](#)
Subject: HB 588
Importance: Normal

February 28, 2021

Dear Chairman Dolan and Members of the Municipal and County Government Committee,

We have an interest in and support HB588 and hope that this committee will vote **Ought To Pass.**

We believe there is a need for this in NH and this bill should be supported. A tiny house/small home is a more viable option for many residents in NH who want their own home, but might not be able to afford to buy even a trailer home in a trailer park. Tiny homes could provide more options for a wide demographic. Young people who might not want to live with their parents, but want to live independently in a home, should have this option.

Thank you for your consideration,

Sincerely,
Alan and Mary Magnusson
10 Cottage Street
Kingston, NH 03848
603-642-4391

Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Joe Mendola](#)
Sent: Tuesday, March 2, 2021 8:48:16 PM
To: [~House Municipal and County Govt](#)
Subject: HB 588
Importance: Normal

I am writing to you to vote OTP for this Bill. Nh is desperately in need of an increase in affordable housing that our workers want to live in and work here is NH. The Tiny house permitted will actually move the needle to increase the affordable housing in our state.

Sincerely,
Joe

Joseph Mendola
Senior Vice President




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Bedford, NH 03110
www.nainorwoodgroup.com

tel [603 668 7000 x 203](tel:6036687000x203)
fax [603 657 1925](tel:6036571925)
joe@nainorwoodgroup.com

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Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Gerald Miller](#)
Sent: Friday, February 26, 2021 3:54:09 AM
To: [~House Municipal and County Govt](#)
Subject: HB 588
Importance: Normal
Attachments: [Tiny Houses by Tory Miller.pdf](#) ;

Chairman Dolan and Members of the Municipal and County Government Committee. I support HB 588 and hope that you will too. Please see attached for further comments.

Gerald H. Miller, LLS retired
31 Ashbrook Drive
Hampton, NH 03842-1002

603-494-8506
ghmiller2010@gmail.com

Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Gerald Miller](#)
Sent: Friday, February 26, 2021 5:00:58 PM
To: ~House Municipal and County Govt
Subject: HB 588 overview comments
Importance: Normal
Attachments: [2021 Tiny Houses Overview.pdf](#);


Mr Chairman and Members of the House Municipal and County Government Committee,

Pleas see attached additional comments in regards to HB 588 that I support and hope that you will too.

Respectfully submitted,

Gerald H. Miller, LLS retired
31 Ashbrook Drive
Hampton, NH 03842-1002

603-494-8506
ghmiller2010@gmail.com

Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Beauchesne, Suzanne](#)
Sent: Tuesday, March 2, 2021 1:46:27 PM
To: ~House Municipal and County Govt
Cc: James Mason; Dave Testerman; Tardif, Rob; Trowbridge, Philip; Pelletier, Rene; O'Donovan, Thomas
Subject: HB 588 Letter of Testimony
Importance: Normal
Attachments:
[HB 588 LOT - Tiny Houses 030121.pdf](#) 

Dear Chairman Dolan and Members of the Committee:

Attached is a letter of testimony from the NH Department of Environmental Services on HB 588 relative to building codes for tiny houses. Should you have any questions about this testimony, please feel free to contact Robert Tardif, Subsurface Systems Bureau Administrator (robert.a.tardif@des.nh.gov or 603-271-2904) or Rene Pelletier, Assistant Water Division Director (rene.pelletier@des.nh.gov) or 603-271-2951). Thank you. Suzanne

Stay Safe! Be Well!

Suzanne Beauchesne
Assistant to the Commissioner
NH Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03301
Phone: (603) 271-3449
Suzanne.Beauchesne@des.nh.gov

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Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Joe Mendola](#)
Sent: Tuesday, March 2, 2021 3:56:53 PM
To: ~House Municipal and County Govt
Subject: Talking points for HB 588 permitting tiny homes
Importance: Normal
Attachments:

TINY HOME TALKING POINTS (002).pdf ;BIA POWERPOINT PRESENTATION FOR WORKFORCE HOUSING Millennial.pptx ;

Dear Chairman Dolan:

Attached are a set of my talking points and a power point for the Committee meeting tomorrow for HB 588.

I will be making this presentation.

Sincerely,

Joe

Joseph Mendola
Senior Vice President



116 South River Road
Bedford, NH 03110

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Archived: Thursday, April 22, 2021 9:49:36 AM
From: [Michaud, Jim](#)
Sent: Thursday, March 4, 2021 2:12:25 PM
To: ~House Municipal and County Govt
Cc: [Heather Goley](#)
Subject: HB 588 written testimony
Importance: Normal
Attachments:
HB 588 written testimony.pdf ;

Good afternoon, please accept the attached PDF file as my written testimony on HB 588.

Jim

Jim Michaud, CNHA
Chief Assessor


Town of Hudson
12 School Street
Hudson, NH 03051
(603) 816-1264 - Direct Line
(603) 886-6009 - Main Office Number
(603) 594-1160 (Fax)
jmichaud@hudsonnh.gov



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

March 2, 2021

The Honorable Tom Dolan
Chairman, Municipal and County Government Committee
Legislative Office Building, Room 301
Concord, NH 03301

RE: HB 588, AN ACT relative to building codes for tiny houses

Dear Chairman Dolan and Members of the Committee:

Thank you for the opportunity to comment on HB 588. This bill sets forth statutory provisions regarding the building codes for tiny houses. Should the Committee choose to move forward with this bill, the New Hampshire Department of Environmental Services (NHDES) suggests the Committee consider the changes discussed below.

RSA 674:77, III of the proposed bill indicates that tiny houses used for habitation be connected to both water systems and wastewater disposal systems approved by NHDES. This part goes on to state on page 2, line 3-4:

Alternatively, a tiny house used for habitation may include self-contained drinking water and sanitary systems.

RSA 485-A:32 states:

No person shall construct any building from which sewage or other wastes will discharge or construct a sewage or waste disposal system without prior approval of the plans and specifications of the sewage or waste disposal system by the department.

Therefore, wastewater generated from a tiny house must be discharged to a waste disposal system approved by NHDES. A self-contained sanitary system would be considered by NHDES rules to be a holding tank. NHDES does not consider a holding tank to be a practical method of sewage disposal/management due to the frequency of which the tank needs to be pumped. Fees for the disposal of septage vary throughout the state ranging from \$70 to as much as \$180 per 1,000 gallons. These costs only reflect the tipping fees charged at wastewater treatment plants across the state; they do not include the fees charged by the septage hauling company. These costs will also vary depending on the company. One company spoken with indicated that they charge, at a minimum, \$265 to pump a typical 1,250-gallon septic tank. Considering that design flows for wastewater generation assumed by NHDES for the design of septic systems is 75 gallons per day, per person it could cost approximately \$230 per week for wastewater disposal for two people living in a house using a holding tank. In

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

The Honorable Tom Dolan
Chairman, Municipal and County Government Committee
March 2, 2021

an effort to avoid these costs, people have been known to dispose of the wastewater illegally causing harm to human health and the environment.

Due to the high potential for illegal disposal of wastewater, NHDES regulates when holding tanks can be used. Env-Wq 1022 of the Subdivision and Individual Sewage Disposal System Design Rules specifically Env-Wq 1022.03(a) states:

- (a) *Holding tanks or closed systems shall not be approved except in the following instances:*
- (1) *As a replacement for an existing system in failure when no other means of disposal is practical;*
 - (2) *When the structure proposed to be served by the holding tank will be connected to a municipal sewer within one year of approval of the holding tank application; or*
 - (3) *For an infrequent commercial use, such as a fairgrounds at which events are held less than six times per year.*

Since the use of self-contained sanitary systems for a structure intended for year-round occupancy (as proposed in the bill) will not meet any of the instances stated above, they cannot currently be approved as required by RSA 485-A:32 Prior Approval; Permits. NHDES proposes that this alternative be removed from the bill.

In addition, RSA 674:78, III of the proposed bill discusses provisions for tiny homes in group park settings. NHDES proposes that this part be amended to state that when a group park is not served by public water and sewer, all standards for water and wastewater (including lot sizing) meet all applicable minimum standards required by NHDES rules and statutes. We suggest the following language starting on page 2, line 21:

The overall lot size shall be at least 10,000 square feet, but if the park is not served by public water and sewer, then the park or units shall meet all applicable minimum design standards for drinking water and wastewater disposal, including minimum lot sizes, required by New Hampshire Department of Environmental Services administrative rules.

Thank you again for the opportunity to comment on this legislation. If you have questions or need additional information, please contact Robert Tardif, Subsurface Systems Bureau Administrator (robert.a.tardif@des.nh.gov or 603-271-2904) Rene Pelletier, Assistant Water Division Director (rene.j.pelletier@des.nh.gov) or 603-271-2951.

Sincerely,



Robert R. Scott
Commissioner

ec: Sponsors of HB 588: Representatives Testerman, Maggiore, Mason

Good afternoon. My name is Jackie Walker, and I have been a resident of New Hampshire for just over 4 years.

After 3 years living in an apartment in Dover, my husband and I have just celebrated one year of living full time in our tiny house. We now live just a few miles from our former apartment, but are light-years away in terms of quality of life.

Our apartment was in a building constructed in 1880. Paying \$1200 per month, we dealt with: **multiple** types of rodent infestations, malfunctioning appliances, difficult and dangerous neighbors.

The heating was inefficient, the wiring was faulty, and we and visitors routinely fell down our incredibly steep stairs. We were confined within walls and ceilings and floors where constant noise and odors and discomfort was beyond our control. Home should be a place of security and relaxation, and we were never able to truly rest while living there.

Our tiny home was built by a professional contractor, insulated with energy efficiency in mind, and the wiring was installed and inspected by a licensed professional less than 2 years ago. We have a self-contained waste system, and use less than 40 gallons of water every week, where as the typical American uses an average of 80 gallons of water each day. Being in control of the space we live in, and not sharing physical walls with those we did not choose, has brought peace into our lives even in such an unsettling time.

The reality is that as a young couple with full-time jobs making modest salaries, we were not able to transition from a high-rent apartment to owning a typical home. In New Hampshire, single-family homes sell at a median price of over \$350,000, and in an average of just 33 days.

I am the type of person that New Hampshire claims to want to attract to the state: a young person who wants to live here long-term. I am from Maryland and my husband is from Massachusetts, but we have fallen in love with the White Mountains and the seacoast, the accessibility of recreational options, the history, and all that New Hampshire has to offer.

But there are no easy ways to comfortably BUILD a life in the Granite State as a young person with a modest salary, and many of us with egregious student loans.

Tiny homes are an affordable way to increase housing options for those people who need a stepping stone to building a life in New Hampshire, or those of us who want to live more minimalistically.

There are already many people living full time in tiny homes around New Hampshire, and many of us WANT to be contributing members of our communities.

I WANT to help fund schools, emergency services, and road repairs in this place I hope to stay in for a long, long time.

When looking for a place to park and live in our tiny house, we had FIVE interested people in Dover alone, and others from around the state. These are owners of single family homes that sit on lots with ample space to host a tiny home. For example, I currently live on a lot that is about an acre, but the footprint of my house is just 8 x 24.

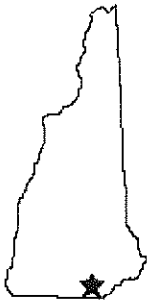
The interest is there for **both** those who want to live in tiny homes, **AND** traditional homeowners interested in hosting tiny homes.

The state has an affordable housing crisis, and also an aging population. A diversity of housing options such as tiny houses can make a big impact in alleviating these two issues.

New Hampshire is being given a huge opportunity to become the first state to accept tiny homes STATEWIDE. Even California and Texas have only a few cities and more rural areas where tiny homes are explicitly allowed. Without the gray areas and looming question of eviction, those with tiny homes interested in being fully integrated into their communities and in a state with ample recreational opportunities are sure to consider a move to the Live Free or Die state.

I urge you to vote in favor of House Bill 588 so that I, my fellow tiny house dwellers, and future tiny house dwellers can become active civil servants for the great Granite State.

Thank you for your time.

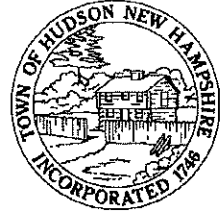


TOWN OF HUDSON

Office of the Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

www.hudsonnh.gov



12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

March 4, 2021

House Municipal & County Government Committee
Honorable Representative Tom Dolan, Chairman

RE: HB 588

Dear Chair and Committee Members,

Thank you for the opportunity to provide input on HB 588, including the “unapproved” amendment discussed at the bills public hearing on March 3rd. The comments that I am offering are my own and not necessarily those of the Town of Hudson, they reflect neither a desire to be for, nor opposed, to the proposal, and are meant to be constructive in nature.

1. The stated significant change proposed in the amendment is, ostensibly, to eliminate the ability to have a “tiny house” on wheels, it was testified to that the tiny houses would be required to be on a foundation. In reading the amended bill, one doesn’t see that a tiny house on wheels is excluded, or that a foundation is required. It is possible that these two items are inferred under RSA 155-A, as well as the references to complying with municipal and state building codes, but it may be that this clarification within the proposal would be an act of necessary transparency.

2. The proposal, specifically on the amendment regarding page 2, lines 1-3, is attempting to piggyback on RSA 72:7-a (attached), but I don’t believe that is how statutory construction works in that 72:7-a is specific to manufactured housing, the folks testifying in favor were fairly explicit that Tiny Homes are unique, they are not manufactured housing, that, unlike manufactured housing, they are not covered by HUD building codes, that they fall under IRC, section Q.

I believe that RSA 72:7-a should be amended for transparency and to make it explicit to Tiny Houses, added to incorporate reference to proposed RSA 674:74, as follows:

(i.e. **72:7-a Manufactured Housing.** –

I. Manufactured housing, as defined in RSA 205-A:1, I, and Tiny Houses, as defined in RSA 674:74, ...”

I-a. Manufactured housing, as defined in RSA 205-A:1, I, and Tiny Houses, as defined in RSA 674:74 ...”

II. There shall be a lien for uncollected taxes upon any manufactured housing, and Tiny Houses as defined in RSA 674:74, ...”)

“(b) If a tiny house is located on the land of another, the owner of the tiny house shall be liable for property taxes on the tiny house according to RSA 72:7-a unless exempted under RSA 72:7-d.”

3. There may be a need to eliminate any reference to RSA 72:7-d, the RV Exemption, on page 2, lines 2 & 3. In as much as the amendment purports to eliminate the ability to have a Tiny House on wheels, therefore ineligible to be considered registerable as a motor vehicle, then that reference to exempting it as an RV is extraneous to the proposal at this point, and possibly subject to misinterpretation by owners and municipalities alike if left in the bill.

4. There may also be a need to do some rewording on RSA 73:16-a as well (attached), to avoid misunderstandings by the public as well as municipal officials, provide transparency, etc., as follows;

73:16-a Personal Property on Land of Another –

“...The provisions of this section shall not apply to manufactured housing subject to taxation pursuant to RSA 72:7-a, nor to tiny houses subject to taxation under RSA 674:76 IV. The tax due upon the manufactured housing and tiny houses shall only be assessed to the owner of the manufactured housing and tiny houses, ...

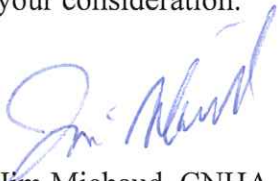
5. I further believe that inquiry to the NH Tax Collectors Association should be made to see if their RSA’s need some work, such as in RSA 80:18-a, as follows:

80:18-a Definition; Mortgage; Manufactured Housing. – In this chapter, "mortgage" shall include a security interest in manufactured housing created and perfected as authorized by RSA 477:44, IV. A mortgagee shall include a holder of such a security interest.

6. I further believe that some work should be done in regards to RSA 477:77 Buildings; Manufactured Housing, or an entire new section in that statutory area, including the creation of a specific Tiny Housing Warranty Deed akin to one that is in there in regards to Manufactured Housing.

I have some concern about the unintended result of possibly creating title issues on property owners interest in property when the tiny houses is located on land of another etc. I am not a real estate attorney, nor am I involved in underwriting mortgages, though I believe it would behoove the committee to seek the input of those so learned so as to avoid unintended complications in the future.

I hope that this information proves useful to the committee members, if I can answer any questions or concerns of the committee relative to this, please advise, and thank you for your consideration.



Jim Michaud, CNHA
Chief Assessor
Town of Hudson, NH

72:7-a Manufactured Housing. –

I. Manufactured housing, as defined in RSA 205-A:1, I, suitable for use for domestic, commercial, or industrial purposes is taxable as real estate in the town in which it is located on April 1 in any year if it was brought into the state on or before April 1 and remains here after June 15 in any year; except that manufactured housing as determined by the commissioner of revenue administration, registered in this state for touring or pleasure and not remaining in any one town, city, or unincorporated place for more than 45 days, except for storage only, shall be exempt from taxation. This paragraph shall not apply to manufactured housing held for sale or storage by an agent or dealer.

I-a. Manufactured housing, as defined in RSA 205-A:1, I, suitable for use for domestic, commercial, or industrial purposes is taxable as real estate in the town, city or unincorporated place to which it is brought and located after April 1 and before the following January 1, provided that said manufactured housing remains in said town, city, or unincorporated place for more than 10 weeks, except for storage only, and further provided a tax has not been assessed on it elsewhere in the state for that year. The tax shall be for the pro rata part of the tax year remaining when said manufactured housing became located in the town, city, or unincorporated place. The selectmen or assessors may so require and it shall be an obligation of the owner to file with the selectmen or assessors a true and correct inventory of the property subject to taxation under this paragraph within 15 days of the location of the manufactured housing in such form as the commissioner of revenue administration may prescribe.

II. There shall be a lien for uncollected taxes upon any manufactured housing suitable for use for domestic, commercial or industrial purposes that has been taxed pursuant to paragraphs I and I-a. Said lien shall take precedence over all other liens and encumbrances upon said manufactured housing and shall continue in force until 1 1/2 years from the assessment of the tax. Such taxes shall be subject to the collection procedures set forth in RSA 80 for real estate taxes.

72:7-d Exemption; Recreational Vehicles. –

I. (a) For purposes of this chapter, recreational vehicles, as defined in RSA 216-I:1, VIII, having a valid motor vehicle registration and current number plate, having a maximum width of 8 feet and 6 inches while being transported, and located at a "recreational campground or camping park," as those terms are defined in RSA 216-I:1 VII, shall not be taxable as real estate.

(b) Annually, before April 1, each campground owner, as defined in RSA 216-I:1, III, shall provide the local assessing officials with the name and address for each owner of a recreational vehicle at the campground, and shall identify which of such recreational vehicles at the campground currently meet the criteria described in subparagraph (a).

II. Notwithstanding RSA 75:3, campground owners shall not be responsible for payment of any taxes imposed on a recreational vehicle located at the campground unless the campground owner is the owner of the recreational vehicle.

73:16-a Personal Property on Land of Another. – Whenever any person leaves upon the land of another person, with such person's consent, any taxable personal property, the tax upon such property may be assessed to the owner of the land in the event the tax is not paid when it is due by the owner of such property, provided a selectman or assessor before or at the time of taking the inventory gives notice in writing to such land owner that such property whenever located upon the land is to be taxed to him. An affidavit by the selectman or assessor giving such notice that it was given shall be evidence of the fact. The provisions of this section shall not apply to manufactured housing subject to taxation pursuant to RSA 72:7-a. The tax due upon the manufactured housing shall only be assessed to the owner of the manufactured housing, and not upon the owner of the land upon which the manufactured housing is left. At the time a tax bill is sent to the owner of each such property, the owner of the land shall be sent a duplicate of such tax bill or, in the alternative, a list of each owner, location and description of all such property and the taxes thereon. No later than 60 days after the tax is due, a list of each owner, location and description of all such property upon which the taxes have not been collected shall be sent to the owner of the land. At the same time a notice shall be given to the owner of each such property for which the tax has not been collected, which notice shall state that the tax is delinquent and inform such owner of the provisions of this section. In the event the owner of the land pays the tax, costs and interest due upon any such property, he shall be entitled to be reimbursed for any such payment, interest pursuant to RSA 76:13 and reasonable attorney's fees from the owner of such property and shall have a lien upon such property which takes precedence over all other liens and encumbrances thereon. Such lien shall continue in force for 2 years from the date the tax was paid. A failure of a city, town or unincorporated place to comply with any provision of this section shall bar the assessment of any tax upon any such property to the owner of the land. (emphasis added)

Buildings on Land of Another

Section 477:44

477:44 Buildings; Manufactured Housing. –

I. Application of Real Estate Laws. Buildings situated on land not belonging to the owners of the buildings shall be deemed real estate for purposes of transfer, whether voluntary or involuntary, and shall be conveyed, mortgaged or leased, and shall be subjected to attachment, other liens, foreclosure and execution, in the same manner and with the same formality as real estate.

II. Manufactured Housing. Manufactured housing, as defined by RSA 674:31, shall be deemed a building for the purpose of paragraph I when such manufactured housing is placed on a site and tied into required utilities. Any deed conveying manufactured housing or evidencing its relocation within this state shall be substantially in the form provided in subparagraphs (a) and (b). If a deed for any manufactured housing is recorded in the registry of deeds of one county of this state and if such manufactured housing is relocated to another site in that county or to a site in another county of this state, a deed evidencing the change of location shall be recorded in the registry of deeds of the county in which it was originally located and a duplicate original shall also be recorded in the registry of deeds of the county to which it was relocated. If such manufactured housing is relocated to a site outside of this state, a statement evidencing the change of location substantially in the form provided in subparagraph (c) shall be recorded in the registry of deeds of the county in this state in which it was previously located. An attachment, lien or other encumbrance on manufactured housing, when properly created and recorded as required by law, shall continue to be enforceable until released or discharged notwithstanding the relocation of the manufactured housing within or outside of this state.

(a) A deed in substance following the form provided in this subparagraph shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to their own use, with covenant on the part of the grantor, for the grantor, the grantor's heirs, executors and administrators that, at the time of the delivery of such deed, the grantor was lawfully seized in fee simple of the manufactured housing; that such manufactured housing was free from all incumbrances, except as stated; that the grantor had good right to sell and convey the same to the grantee, the grantee's heirs, successors and assigns; and that the grantor and the grantor's heirs, executors and administrators shall warrant and defend the same to the grantee and the grantee's heirs, successors and assigns, against the lawful claims and demands of all persons. No owner of land shall unreasonably withhold the consent required by this statutory form.

Form for Manufactured Housing Warranty Deed

_____, of _____, _____ County, State of _____, for consideration paid, grant to _____, (complete mailing address) _____, of _____ Street, Town (City) of _____, _____ County, State of _____, with warranty covenants, the _____ (Description of manufactured housing being conveyed: name of manufacturer, model and serial number and incumbrances, exceptions, reservations, if any) which manufactured housing is situated, or is to be situated, at _____ (state name of park, if any,

and street address), Town (City) of _____, _____ County, State of New Hampshire. The tract or parcel of land upon which the manufactured housing is situated, or is to be situated, is owned by _____ by deed dated _____ and recorded at Book ____, Page in the _____ County Registry of Deeds. _____ (wife) (husband) of said grantor, release to said grantee all rights and other interests therein. Signed this _____ day of _____, ____.

(Here add acknowledgment)

_____, owner of the tract or parcel of land upon which the aforesaid manufactured housing is situated, or is to be situated, hereby consents to the conveyance of the manufactured housing. Signed this _____ day of _____, ____.

(Here add acknowledgment)

[] Check box if the manufactured housing has been relocated from one site to another within New Hampshire. The manufactured housing was previously located at _____ (state name of park, if any, and street address), Town (City) of _____, _____ County, State of New Hampshire and title, if any, to the same was recorded at Book ____, Page ____, in the _____ County Registry of Deeds. If the relocation is to a county of the State of New Hampshire other than the county in which the deed to the grantor was recorded, a duplicate original of the deed must be recorded in the registry of deeds of that county at the same time this deed is recorded.

(b) A deed in substance following the form provided in this paragraph shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to their own use, with covenants on the part of the grantor, for the grantor, the grantor's heirs, executors and administrators with the grantee, the grantee's heirs, successors and assigns that at the time of the delivery of such deed the manufactured housing was free from all incumbrances made by the grantor, except as stated, and that the grantor and the grantor's heirs, executors and administrators shall warrant and defend the same to the grantee and the grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons claiming, by, through or under the grantor, but against none other. No owner of land shall unreasonably withhold the consent required by this statutory form.

Form for Manufactured Housing Quitclaim Deed

_____, of _____, _____ County, State of _____, for consideration paid, grant to _____, (complete mailing address) _____, of _____ Street, Town (City) of _____, _____ County, State of _____, with quitclaim covenants, the (Description of manufactured housing being conveyed: name of manufacturer, model and serial number and incumbrances, exceptions, reservations, if any) which manufactured housing is situated, or is to be situated, at _____ (state name of park, if any, and street address), Town (City) of _____, _____ County, State of New Hampshire.

The tract or parcel of land upon which the manufactured housing is situated, or is to be situated, is owned by _____ by deed dated _____ and recorded at Book ____, Page ____, in the _____ County Registry of Deeds. _____ (wife) (husband) of said grantor, release to said grantee all rights and other interest therein.

Signed this _____ day of _____, ____.

(Here add acknowledgment)

_____, owner of the tract or parcel of land upon which the aforesaid manufactured housing is situated, or is to be situated, hereby consents to the conveyance of the manufactured housing.

Signed this _____ day of _____, ____.

(Here add acknowledgment)

Check box if the manufactured housing has been relocated from one site to another within New Hampshire. The manufactured housing was previously located at _____ (state name of park, if any, and street address), Town (City) of _____, _____ County, State of New Hampshire and title, if any, to the same was recorded at Book ____, Page ____, in the _____ County Registry of Deeds. If the relocation is to a county of the State of New Hampshire other than the county in which the deed to the grantor was recorded, a duplicate original of the deed must be recorded in the registry of deeds of that county at the same time this deed is recorded.

(c) An out-of-state transfer statement in substance following the form appended to this paragraph shall, when duly executed and recorded in the registry of deeds of the county in which the manufactured housing was previously located, have the force and effect of transferring title of the manufactured housing to the grantee, the grantee's heirs, successors and assigns and terminating the record title of the manufactured housing in such registry of deeds under circumstances by which the manufactured housing is relocated to a site outside of this state. No owner of land shall unreasonably withhold the consent required by this statutory form. No manufactured housing may be relocated to a site outside of this state unless all holders of liens, attachments or incumbrances, if any, consent thereto in writing on the transfer statement.

Form for Out-of-State Transfer Statement

_____, of _____, County, State of _____, for consideration paid, grant to _____, (complete mailing address) _____, of _____ Street, Town (City) of _____, _____ County, State of _____, the _____ (Description of manufactured housing being conveyed: name of manufacturer, model and serial number and incumbrances, exceptions, reservations, if any) which manufactured housing, was situated at _____ (state name of park, if any, and street address), Town (City) _____ of _____ County, State of New Hampshire.

The tract or parcel of land upon which the manufactured housing was situated is owned by _____ by deed _____ dated _____ and recorded at Book ____, Page ____ in the

_____ County Registry of Deeds. _____ (wife) (husband) of said grantor, release to said grantee all rights and other interest therein.
Signed this _____ day of _____, ____.

(Here add acknowledgment)

_____, owner of the tract or parcel of land upon which the aforesaid manufactured housing was situated, hereby consents to the conveyance of the manufactured housing.
Signed this _____ day of _____, ____.

(Here add acknowledgment)

_____, holder of (lien, attachment or encumbrance) hereby consent to the conveyance of the aforesaid manufactured housing, subject to condition that the aforesaid (lien, attachment or encumbrance) shall remain in force and effect thereon.
Signed this _____ day of _____, ____.

(Here add acknowledgment)

III. Initial Transfer of Title to Manufactured Housing. A deed, substantially in the form prescribed by subparagraphs II(a) and (b), duly executed and delivered, shall be required to transfer title to any manufactured housing in a transaction occurring prior to connection of such manufactured housing to the required utilities.

IV. As an alternative to the methods prescribed in paragraph II for mortgages of and foreclosures and executions upon manufactured housing, security interests in manufactured housing may be created in the manner prescribed in RSA 382-A:9. Such security interest, properly perfected in the manner prescribed in RSA 382-A:9-501(a)(1) shall be entitled to priority over any other interests in such manufactured housing arising after such perfection. A person holding a security interest in manufactured housing shall have all the rights, remedies and obligations provided in RSA 382-A:9; subject, however, to homestead rights as provided in RSA 480:1. In the event such homestead rights are not waived, a secured party foreclosing upon a security interest created under this paragraph shall first pay to the debtor an amount equal to that which a person is entitled to under RSA 480:1, and the same amount to his or her spouse, if any, out of the proceeds of the sale of the manufactured housing, which payment shall extinguish all homestead rights therein.

V. Any manufactured housing park owner required to sign a deed under this section shall sign the deed no later than 15 days after the new tenant is approved and the park owner is requested to do so. The tenant shall deliver the deed to the manufactured housing park owner's place of business for signature. The fee for any such signature on a deed shall not exceed \$25 and shall be paid by the tenant.

VI. All deeds which have been acknowledged and recorded according to the provisions of this

section since August 17, 1983, but which were not witnessed, shall be considered valid under this section.

Archived: Thursday, April 22, 2021 9:45:23 AM
From: Chas Pearson
Sent: Monday, March 1, 2021 6:30:35 PM
To: ~House Municipal and County Govt
Subject: In Support of HB588 (tiny house zoning) on 3/3/2021
Importance: Normal

Dear Committee Members:

I am in writing in support of this legislation (HB588) to allow towns the flexibility to permit so-called "tiny houses" to be allowable within any zoning districts that town or city deems appropriate, as well as complying with other zoning provisions as this bill stipulates.

The need for affordable or workforce housing is clear in New Hampshire, especially in the "high-rent" Southern tier.


I have owned a Land Surveying practice in NH since 1976, have dealt with a lot of Planning and Zoning Boards over those 4+ decades, and have had many clients come to me asking how they can provide some detached living space on their existing property for either their adult children or elderly parents that simply cannot afford to purchase the typical subdivision property available in the Southern New Hampshire area.

With lot sizes ranging (practically) from 1.5 Acres up to 5 Acres on occasion (depending on soils and public/municipal water/sewer availability), and the relatively limited public water and sewer systems available in most NH towns, the need for on-site wells and septic systems on each lot is obvious, and with land prices for single family home lots approaching \$200K, just for the land, it is impossible to justify constructing an affordable housing unit that many of our relatives can afford on it's own lot, so families are often forced to split up, sometimes move away, and this bill would provide ONE option that may allow one's adult child or aging parents to afford to stay in the community they've lived in for much of their life, and I think this is one reasonable solution to that problem that many NH residents face, especially these days.

Please consider this legislation carefully and support the efforts to allow Towns or Cities to enable this option in their zoning regulations that can benefit many New Hampshire residents in the years to come.

Thank you for your consideration,

Chas Pearson, PE-LLS
President, BVPINC,
Sandown, N.H. 03873

Archived: Thursday, April 22, 2021 9:45:23 AM
From: Jackie Walker
Sent: Wednesday, March 3, 2021 1:13:40 PM
To: ~House Municipal and County Govt
Subject: Written testimony in support of HB588
Importance: Normal
Attachments:
[hb 588 testimony.docx](#) 

Hello,
I've signed up to testify in support of HB 588 today. Attached is my written testimony.
Thank you!
Jackie

Archived: Thursday, April 22, 2021 9:45:24 AM

From: [OnSpec Alex](#)


Sent: Thursday, March 4, 2021 8:31:26 AM

To: [~House Municipal and County Govt](#)

Subject: NH House Remote Testify: 12:30 pm - HB588 in House Municipal and County Government

Importance: Normal

Attachments:

[HB588_Comments.pdf](#) 

See enclosed pdf.

My name is Alex Kish and I have been a NH resident since 1996 and am a freedom loving American. I'm also a licensed septic installer, designer, real estate agent, landlord and 6-term zoning board veteran for the Town of Sunapee.

Shelter is a basic human necessity and no one should be denied it. Tiny Homes and Tiny Homes On Wheels (THOW) are an efficient, cost effective and aesthetically pleasing form of housing that serves the entire spectrum of homeowners from young adults to retirees to those seeking a minimalist lifestyle.

I believe in people's agency and their ability to decide for themselves how much space they require to meet their needs. I do not believe it is the State's place to dictate such a thing.

Sadly towns and municipalities have consistently failed to incorporate Tiny Homes into their zoning regulations. This bill would compel them to do so. Furthermore, zoning should not relegate this form of housing to second class status as only an ADU (Accessory Dwelling Unit) or to be confined to small and cramped "parks". Tiny homes deserve to be accommodated outright.

A lot of false concern has been voiced over fire and safety of Tiny Homes. Setbacks can easily address the concern over a house fire threatening the neighbors. Tiny homes are inherently safer precisely because of their diminutive size. If they burn it will be a quick event with very little risk to others.

Concerns over septic and sewage are similarly exaggerated. Tiny homes inherently require a lot less water and generate substantially less sewage. Existing rules and regulations are adequate in this regard. If anything, a relaxation of the rules and regulations regarding 1 bedroom septic designs may be warranted. I say this as a licensed septic designer and installer who is familiar with both the science and the regulations.

Building standards for Tiny Homes already exist and have been adopted and field proven to be exceedingly adequate in many States including WA, OR and FL. Looking to these States can provide guidance and easily inform any standards we wish to adopt for NH. It was brought to my attention at the hearing that Tiny Homes with wheels were removed explicitly from the Bill. This is both unfortunate and somewhat silly since such a distinction has absolutely nothing to do with the overall purpose of the type of housing itself.

Accommodation for Tiny Homes as a legally recognized form of housing is long overdue. We need to pass this Bill.

- Alex Kish

TALKING POINT FOR WHY NH NEEDS TINY HOME ZONING

1. NH needs to solve the problem of a lack of affordable and workforce housing for our young people to stay and be attracted to NH.
2. If we do not provide this affordable housing, we will not have enough people to fill the jobs in our base industries and the hospitality industry.
3. If we cannot keep and attract the millennial population to our State, our businesses will follow them out of the State and NH will lose the vital BPT that is a major contributor to our economy.
4. Our young people are managing student debt and they are interested in living minimally. They want to live large for less.
5. They need housing that is new and cost less than \$100,000. They also are not trusting that being tied to the housing cycle will allow them to move to a new job as they will change jobs 10 to 15 times in their career.
6. A tiny house on wheels (THOW) will give our young people the type of housing that will allow NH. to solve the affordable workforce housing problem and meet the needs of their issues in this economic environment as well as their lifestyle choices.

February 26, 2021

Dear Chairman Dolan and Members of the Municipal and County Government Committee,

I have an interest in and **I support HB 588** and hope that this committee will vote **Ought to Pass**.

What follows was written by my son, who hopes to be able to move back and live in New Hampshire within the next couple of years, and can reside in the manner and style of his convictions:

Tiny Houses: An Argument for Smaller Living

By
Tory Miller

In an age where “bigger” and “more” are considered better, a different way of living is one that appeals to many. A simpler life, less driven by the need to prove one’s worth with material things, living with less as a path to living more. Living smaller can encourage people to be more engaged in their communities, both financially and socially, and the very nature of a smaller home makes it a far more environmentally friendly option than most traditional homes.

Tiny houses and smaller homes have large appeal across many groups. They are an excellent option for young adults just starting out. Instead of moving into an overpriced apartment complex, a tiny house allows for an investment into a living space of one’s own without the investment of a 30+ year mortgage. More and more young adults end up staying with their parents for longer periods of time in part because traditional homes are becoming less and less affordable. The cost of a home has been rising far faster than average income for more than 50 years, a trend that does nothing good for people starting out on their own.

Another group that benefits from the cost savings of a tiny house are older people looking to downsize. A retiree with limited resources will find these resources stretching much further when less money is needed for bills and upkeep, while still maintaining a greater level of freedom than what is offered with other housing options. Saving money in this manner can offer more in the way of opportunities for travel and hobbies, scratching things off one’s bucket list.

Similarly to the above groups, tiny houses provide a great alternative housing option for lower income workers, who may not otherwise be able to afford to live in the areas where they are needed.

The cost savings for a tiny house or smaller home (<1000 s.f.) are dramatic, potentially a tenth of what it would cost to build or buy a larger home. The very nature of building small means far less materials are used, creating a huge up front cost savings and in many cases making it possible to pay out of pocket instead of going deep into debt. Maintenance over time becomes far cheaper as well, as there is far less to maintain.

Often, tiny houses are better suited to fit into communities than other options, such as trailer homes. In most cases, tiny houses are built to look like what the name implies: a house on a small scale. They can easily be built to blend in with the architecture of any given area, and can provide something of a novelty “cute factor”. Far from detracting from the attractiveness of a community, tiny houses can add something unique and special, while still blending in with their surroundings.

Building small is quite possibly the greenest way to build a new structure. When fewer building materials are used, less in the way of construction waste is produced. Tiny houses are also far less site invasive than a traditional home. Because so much less in the way of materials are needed, it becomes easier to invest in higher quality and greener building materials, making those options better up front and over time. An investment in high quality windows and insulation can make a huge difference in energy efficiency.

A smaller space is naturally easier to heat, cool, and light, making tiny houses extremely energy efficient. This makes ongoing costs, such as bills for heat and electricity, far less of a factor. The energy efficiency of a tiny house makes options like solar power an easy and attractive option to further keep ongoing costs down.

While the very name implies small, it is important to shift one’s thinking from “bigger is better”, to “less is more”. Far from being constrictive, the tiny house lifestyle can be extremely freeing. There’s the obvious financial freedom, which leads to the freedom to be more active with one’s community. It provides more opportunities to engage in one’s hobbies and passions, and overall lead a fuller life. Even only as a stepping-stone to a larger home, a tiny house allows for financial freedom to come earlier and easier.

Whether on wheels or a foundation, a tiny house is just that: a small, comfortable, cozy, safe, and affordable living space, good for the environment, the community, and people from all walks of life.

Thank you for your consideration and time to read the thoughts of my son, which I too totally support. Passage of HB 588 will go a long way to helping not just my son, but also the growing populace that share his views. Please vote **OTP** for **HB 588**.

Respectfully submitted,

Gerald H. Miller, LLS retired
31 Ashbrook Drive
Hampton, NH 03842-1002

603-494-8506
ghmiller2010@gmail.com

Bill as
Introduced

HB 588 - AS INTRODUCED

2021 SESSION

21-0020

11/04

HOUSE BILL **588**

AN ACT relative to building codes for tiny houses.

SPONSORS: Rep. Testerman, Merr. 2; Rep. Maggiore, Rock. 22; Rep. Mason, Merr. 2

COMMITTEE: Municipal and County Government

ANALYSIS

This bill defines tiny houses and provides for the authority and requirements for municipal regulation.

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.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to building codes for tiny houses.

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

1 1 New Subdivision; Tiny Houses. Amend RSA 674 by inserting after section 73 the following
2 new subdivision:

3 Tiny Houses

4 674:74 Definition. As used in this subdivision, "tiny house" means a structure intended for year-
5 round occupancy that meets the requirements of the state building code, as defined in RSA 155-A,
6 and is of a smaller square footage than may be normally permitted by local zoning requirements, and
7 may include single-room structures, and which is built on either a permanent foundation or on a
8 chassis that is suitable for registration for transport on public highways of the state.

9 674:75 General Requirements.

10 I. All houses that meet the definition of "tiny house" in RSA 674:74 shall contain facilities
11 for sleeping, eating, cooking, and sanitation.

12 II. All municipal and state building codes for single family dwelling units shall apply to tiny
13 houses including, but not limited to, zoning, fire, safety, emergency vehicle access, attachments to
14 electricity, plumbing, and public or private sewer systems, if required.

15 674:76 Requirements for Tiny Houses on Wheels. Any tiny house on wheels shall be mounted
16 on a chassis that is licensed, registered with state and local governmental agencies, and inspected.
17 A tiny house on wheels shall also have a seal from a third party inspection company authorized to
18 provide such certification for tiny homes or recreational vehicles, which indicates that the structure
19 has successfully passed inspection at specific stages of construction for compliance with safety,
20 structure, and energy efficiency standards. Such seal shall be permanently affixed to the tiny house.
21 A local engineer shall certify the connection of the tiny house to the chassis.

22 674:77 Individual Tiny Houses.

23 I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this
24 chapter shall allow tiny houses as a matter of right in all zoning districts that permit single family
25 dwellings, and may allow in its discretion tiny houses in all other districts.

26 II. If a municipality permits detached accessory dwelling units pursuant to RSA 674:73, it
27 shall permit a single tiny house as a detached accessory dwelling unit. Municipalities allowing tiny
28 houses pursuant to this paragraph may require additional lot area if it has such a requirement for
29 detached accessory dwelling units, and may require the tiny house meet the municipality's zoning
30 dimensional standards for detached accessory dwelling units if such standards exist. A property
31 may include either an accessory dwelling unit or a tiny house, but not both.

1 III. A tiny house used for habitation shall be connected to both a public water system or a
2 private well and to a public sewer system or a subsurface wastewater disposal system that has been
3 approved by the department of environmental services. Alternatively, a tiny house used for
4 habitation may include self-contained drinking water and sanitary systems. A self-contained waste
5 water system may not discharge any waste or liquid.

6 IV.(a) If built on a chassis, a tiny house used for habitation shall be taxable as real estate,
7 but shall not otherwise be regarded as real property.

8 (b) If a tiny house is located on the land of another, the owner of the tiny house shall be
9 liable for property taxes on the tiny house according to RSA 72:7-a unless exempted under RSA 72:7-
10 d.

11 (c) A tiny house may be deemed a unit of workforce housing for purposes of satisfying
12 the municipality's obligation under RSA 674:59 if the unit meets the criteria in RSA 674:58, IV for
13 rental units.

14 (d) When a tiny house on wheels is removed from a property, the owner of such tiny
15 house shall notify the municipality in order to remove the property tax liability.

16 674:78 Tiny House Parks. Municipal zoning ordinances shall also make provision for locating
17 tiny homes in group park settings of at least 4 units, in which no more than one of the units may be
18 the park property owner. Units shall be adequately spaced to allow for access by firefighting
19 apparatus. The overall lot size shall be at least 10,000 square feet, but if the park is not served by
20 public water and sewer, then the park or units shall meet the minimum overall lot-size standards for
21 a community system. The property owner shall have discretion to use either individual lots or a
22 single lot and either individual or community wastewater and drinking systems.

23 2 Effective Date. This act shall take effect 60 days after its passage.