

**REGULAR CALENDAR**

**March 3, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on Municipal and County Government to which was referred HB 1087,**

**AN ACT relative to zoning for single family housing lots.**

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

**Rep. Joseph Guthrie**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

<b>Committee:</b>	<b>Municipal and County Government</b>
<b>Bill Number:</b>	<b>HB 1087</b>
<b>Title:</b>	<b>relative to zoning for single family housing lots.</b>
<b>Date:</b>	<b>March 3, 2022</b>
<b>Consent Calendar:</b>	<b>REGULAR</b>
<b>Recommendation:</b>	<b>INEXPEDIENT TO LEGISLATE</b>

**STATEMENT OF INTENT**

This bill limits the authority of local land use planning boards relating to ordinances governing lot sizes. This bill specifies that no ordinance shall require more than a 10,000 square foot lot size for single family housing lots. Although the bill is an attempt at helping the housing shortage, it was a mandate that the majority of the committee felt would be unacceptable.

Vote 11-8.

Rep. Joseph Guthrie  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## **REGULAR CALENDAR**

Municipal and County Government

**HB 1087**, relative to zoning for single family housing lots. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joseph Guthrie for the **Majority** of Municipal and County Government. This bill limits the authority of local land use planning boards relating to ordinances governing lot sizes. This bill specifies that no ordinance shall require more than a 10,000 square foot lot size for single family housing lots. Although the bill is an attempt at helping the housing shortage, it was a mandate that the majority of the committee felt would be unacceptable. **Vote 11-8.**

Original: House Clerk  
Cc: Committee Bill File

**REGULAR CALENDAR**

**March 3, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on Municipal and  
County Government to which was referred HB 1087,**

**AN ACT relative to zoning for single family housing lots.**

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

**Rep. Laurel Stavis**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

<b>Committee:</b>	<b>Municipal and County Government</b>
<b>Bill Number:</b>	<b>HB 1087</b>
<b>Title:</b>	<b>relative to zoning for single family housing lots.</b>
<b>Date:</b>	<b>March 3, 2022</b>
<b>Consent Calendar:</b>	<b>REGULAR</b>
<b>Recommendation:</b>	<b>OUGHT TO PASS</b>

**STATEMENT OF INTENT**

This bill would prohibit municipalities from limiting lot size for single-family homes in areas served by public water and sewer. The bill would encourage development of single family homes and provide much needed housing in the state's already existing population centers while allowing regions that rely on private water and sewer systems to remain rural. In the midst of a housing crisis, adopting policies that facilitate development in communities that have already invested in the infrastructure to support that development makes good sense. It may also have the benefit of adding revenue to towns and cities that have expended or may expend funds for such infrastructure, helping to defray costs and reduce taxes.

Rep. Laurel Stavis  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## **REGULAR CALENDAR**

Municipal and County Government

**HB 1087**, relative to zoning for single family housing lots. **OUGHT TO PASS.**

Rep. Laurel Stavis for the **Minority** of Municipal and County Government. This bill would prohibit municipalities from limiting lot size for single-family homes in areas served by public water and sewer. The bill would encourage development of single family homes and provide much needed housing in the state's already existing population centers while allowing regions that rely on private water and sewer systems to remain rural. In the midst of a housing crisis, adopting policies that facilitate development in communities that have already invested in the infrastructure to support that development makes good sense. It may also have the benefit of adding revenue to towns and cities that have expended or may expend funds for such infrastructure, helping to defray costs and reduce taxes.

Original: House Clerk  
Cc: Committee Bill File

**HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT**

**EXECUTIVE SESSION on HB 1087**

**BILL TITLE:** relative to zoning for single family housing lots.

**DATE:** February 22, 2022

**LOB ROOM:** 301 - 303

**MOTIONS:** **INEXPEDIENT TO LEGISLATE**

Moved by Rep. Guthrie

Seconded by Rep. Ayer

Vote: 11-8

**CONSENT CALENDAR: NO**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1087

BILL TITLE: relative to zoning for single family housing lots.

DATE: 2/22/22

LOB ROOM: 301-303

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. Guthrie Secoded by Rep. Avera Vote: 11-8

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. \_\_\_\_\_ Secoded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. \_\_\_\_\_ Secoded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. \_\_\_\_\_ Secoded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

CONSENT CALENDAR: \_\_\_\_\_ YES  NO

Minority Report? \_\_\_\_\_ Yes \_\_\_\_\_ No If yes, author, Rep: \_\_\_\_\_ Motion \_\_\_\_\_

Respectfully submitted: John MacDonald  
Rep John MacDonald, Clerk





2022 SESSION

Municipal and County Government

Bill #: HB1087 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 2/22/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
	11		
Dolan, Tom Chairman			
Piemonte, Tony Vice Chairman	1		
MacDonald, John T. Clerk	2		
Tripp, Richard P.	3		
Guthrie, Joseph A.	4		
Lascelles, Richard W.	5		
McBride, Everett P. <i>Rhodes</i>	6		
Melvin, Charles R.	7		
Ayer, Paul F.	8		
Pauer, Diane	9		
Maggiore, Jim V.		1	
Treleaven, Susan GS		2	
Gilman, Julie D.		3	
Stavis, Laurel		4	
Mangipudi, Latha D.		5	
Vann, Ivy C.		6	
Klee, Patricia S.	10		
Gallager, Eric B.		7	
Rung, Rosemarie		8	
<b>TOTAL VOTE:</b>	11	8	

**HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT**

**PUBLIC HEARING ON HB 1087**

**BILL TITLE:** relative to zoning for single family housing lots.

**DATE:** February 9, 2022

**LOB ROOM:** 301 - 303

**Time Public Hearing Called to Order:** 9:59 a.m.

**Time Adjourned:** 10:22 a.m.

**Committee Members:** Reps. Dolan, Piemonte, J. MacDonald, Guthrie, Lascelles, Ayer, Pauer, Maggione, Gilman, Stavis, Mangipudi, Vann, Klee, Gallagher and Rung

**Bill Sponsors:**

Rep. Yokela

Rep. Stavis

Rep. Oxenham

Rep. McWilliams

**TESTIMONY**

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

**Rep. Josh Yokela** - Prime sponsor of the bill. Lot size requirement for lots that are part of a combined water/sewer residence. 1/4 acre requirement changed to 10,000 sq. ft. requirement. Line 10-12, doesn't limit groups for high density housing.

Rep. Gilman: Line 2, maximum water and sewer is at capacity. No new buildings.

**Chris Norwood, NH Association of Realtors** - Supports the bill. More housing. Public water and sewer dense population, lot size of 10,000. Denser lots in downtown environment.

Rep. Klee: Don't you fear that the towns without sewer and water keep that status? ANS: No, commercial businesses need municipal water and sewer for economic growth.

Rep. Vann: Raw price of land is 20% of the price of the house? ANS: It is all over the place. The larger the lot, the larger the house? ANS: That is true. These units would be in the center of the municipality.

Rep. Stavis: Environmental impact. Limiting lot size? ANS: Both housing lots can exist together.

**Natch Gneyes, NH Municipal Association** - Opposes the bill. Less incentive to build out water and sewer.

Respectfully submitted,

Rep. John MacDonald  
Clerk



# House Remote Testify

## Municipal and County Government Committee Testify List for Bill HB1087 on 2022-02-09

Support: 7 Oppose: 2 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Creem, Jeffrey	Nashua, NH jeff@thecreems.com	A Member of the Public	Myself	Support	No	No	2/6/2022 1:13 PM
Medeiros, Jesse	Plainfield, NH bgtrek458@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2022 3:50 PM
Dargie, Paul	Milford, NH pauldargie@gmail.com	An Elected Official	Myself	Oppose	No	No	2/6/2022 5:23 PM
O'Neill, Nan	SALISBURY, NH raptorko@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2022 5:58 PM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Neutral	No	No	2/7/2022 7:24 AM
Richardson, Danny	Nashua, NH richardson4you@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/7/2022 9:05 AM
Dellisola, David	Derry, NH davidellisola@hotmail.com	A Member of the Public	Myself	Neutral	No	No	2/7/2022 9:39 AM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	2/7/2022 9:51 AM
Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	2/7/2022 2:08 PM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Support	No	No	2/7/2022 4:10 PM
Turnbull, Shauna	Andover, NH shaunaturnbull@yahoo.com	A Member of the Public	Myself	Support	No	No	2/7/2022 7:42 PM
Holt, David	Somersworth, NH davholt@aol.com	A Member of the Public	Myself	Neutral	No	No	2/8/2022 10:57 AM
Alleman, Bill	Weare, NH gencourt@allemanse.com	A Member of the Public	Myself	Support	No	No	2/8/2022 6:37 PM

Ferrantello, Anthony	Keene, NH ajfnino@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 7:58 AM
Stewart, Will	Manchester, NH will@stayworkplay.org	A Lobbyist	Stay Work Play NH	Support	No	No	2/9/2022 8:20 AM

Opposition to **HB 1087**

House Municipal & County Committee

Dear Chairman and Committee Members,

I am opposed to this Bill as proposed because:

This creates a maximum lot size of not more than 10,000 square feet for single family housing lots that are serviced by public water and sewer, as long as the lot does not exceed the existing water or sewer capacity.

In existing 2 acre lot neighborhoods this creates an instant 8 lot subdivision with 8 x's the existing density.

I didn't move into an instant suburban neighborhood from a rural one.

This would invalidate most Master Plans.

What happened to "local control"?

Bruce Buttrick  
Gorham Pond Rd  
Goffstown, NH 03045



**Subject:** In Opposition to HB 1087 relative to zoning for single family housing lots

**From:** Daniel Richardson <daniel6\_22@comcast.net>

**Date:** 2/2/2022, 1:40 PM

**To:** HouseMunicipalandCountyGovt@leg.state.nh.us

**CC:** Tom Lanzara <tomlanzara@gmail.com>, Josh Yokela <Josh.Yokela@leg.state.nh.us>, Laurel Stavis <Laurel.Stavis@leg.state.nh.us>, Lee Oxenham <lee.oxenham@leg.state.nh.us>, Rebecca McWilliams <Rebecca.McWilliams@leg.state.nh.us>

Ref: February 4, 2022 Public Hearing

HOUSE MUNICIPAL AND COUNTY GOVERNMENT COMMITTEE -

I write in opposition to HB 1087. This bill would usurp the development control prerogatives of municipal Land Use ordinances with arbitrarily strictures to no good purpose. Its end effect is to enable the dicing of a property within a neighborhood having an existing characterization. The result is valuation diminution of others property in the proximal area. This is a downward slope causing propensity for others to do the same... and then move out.

This bill represents one element of AGENDA 21 incremental erosion of individual property rights and urban densification of NH. [It is aligned implementation "The Great Reset".] This bill represents establishment of an arbitrary assault vector on home owners and has no benefit for NH property owners or the state.

Please kill HB 1087 as ITL with extreme prejudice.

Daniel Richardson, Nashua

**Subject:** In Opposition to HB 1087 relative to zoning for single family housing lots

**From:** Daniel Richardson <daniel6\_22@comcast.net>

**Date:** 2/7/2022, 8:28 AM

**To:** HouseMunicipalandCountyGovt@leg.state.nh.us

**CC:** Tom Lanzara <tomlanzara@gmail.com>, Josh Yokela <Josh.Yokela@leg.state.nh.us>, Laurel Stavis <Laurel.Stavis@leg.state.nh.us>, Lee Oxenham <lee.oxenham@leg.state.nh.us>, Rebecca McWilliams <Rebecca.McWilliams@leg.state.nh.us>

Ref: February 9, 2022 Public Hearing

HOUSE MUNICIPAL AND COUNTY GOVERNMENT COMMITTEE -

I write in opposition to HB 1087. This bill would usurp the development control prerogatives of municipal Land Use ordinances with arbitrarily strictures to no good purpose. It unilaterally and inappropriately inserts dictates into the Grant of Power subsection for Zoning ordinances. This bill ignores the existing [RSA 674:2] Master Plan choices made by municipalities in deciding the character of residential zones, done in the democratic process of public involvement.

Its end effect is to enable the dicing of a property within a neighborhood having an existing characterization. The result is valuation diminution of others property in the proximal area. This is a downward slope causing propensity for others to do the same. Municipalities have suffered the painful experience of packing houses into backyards called "Lamb Chop Lots", until they were banned.

This bill represents one element of AGENDA 21 incremental erosion of individual property rights and urban densification of NH. [It is aligned implementation "The Great Reset"] This bill represents establishment of an arbitrary assault vector on home owners and has no benefit for NH property owners or the state.

Please kill HB 1087 as ITL with extreme prejudice.

Daniel Richardson, Nashua



## Heather Goley

---

**From:** Daniel Richardson <daniel6\_22@comcast.net>  
**Sent:** Monday, February 7, 2022 8:29 AM  
**To:** ~House Municipal and County Govt  
**Cc:** Tom Lanzara; Josh Yokela; Laurel Stavis; Lee Oxenham; Rebecca McWilliams  
**Subject:** In Opposition to HB 1087 relative to zoning for single family housing lots

Ref: February 9, 2022 Public Hearing

### HOUSE MUNICIPAL AND COUNTY GOVERNMENT COMMITTEE -

I write in opposition to HB 1087. This bill would usurp the development control prerogatives of municipal Land Use ordinances with arbitrarily strictures to no good purpose. It unilaterally and inappropriately inserts dictates into the Grant of Power subsection for Zoning ordinances. This bill ignores the existing [RSA 674:2] Master Plan choices made by municipalities in deciding the character of residential zones, done in the democratic process of public involvement.

Its end effect is to enable the dicing of a property within a neighborhood having an existing characterization. The result is valuation diminution of others property in the proximal area. This is a downward slope causing propensity for others to do the same.

Municipalities have suffered the painful experience of packing houses into backyards called "Lamb Chop Lots", until they were banned.

This bill represents one element of AGENDA 21 incremental erosion of individual property rights and urban densification of NH. [It is aligned implementation "The Great Reset"] This bill represents establishment of an arbitrary assault vector on home owners and has no benefit for NH property owners or the state.

Please kill HB 1087 as ITL with extreme prejudice.

Daniel Richardson, Nashua

## Heather Goley

---

**From:** Daniel Richardson <daniel6\_22@comcast.net>  
**Sent:** Wednesday, February 2, 2022 1:40 PM  
**To:** ~House Municipal and County Govt  
**Cc:** Tom Lanzara; Josh Yokela; Laurel Stavis; Lee Oxenham; Rebecca McWilliams  
**Subject:** In Opposition to HB 1087 relative to zoning for single family housing lots

Ref: February 4, 2022 Public Hearing

### HOUSE MUNICIPAL AND COUNTY GOVERNMENT COMMITTEE -

I write in opposition to HB 1087. This bill would usurp the development control prerogatives of municipal Land Use ordinances with arbitrarily strictures to no good purpose. Its end effect is to enable the dicing of a property within a neighborhood having an existing characterization.

The result is valuation diminution of others property in the proximal area. This is a downward slope causing propensity for others to do the same... and then move out.

This bill represents one element of AGENDA 21 incremental erosion of individual property rights and urban densification of NH. [It is aligned implementation "The Great Reset".] This bill represents establishment of an arbitrary assault vector on home owners and has no benefit for NH property owners or the state.

Please kill HB 1087 as ITL with extreme prejudice.

Daniel Richardson, Nashua

## Heather Goley

---

**From:** Sharon Clark <sharonclark411@gmail.com>  
**Sent:** Monday, February 7, 2022 2:13 PM  
**To:** ~House Municipal and County Govt  
**Subject:** Support HB1087

Dear Committee Members,

People may need smaller lot sizes to save money on road construction and maintenance, utilities, the cost of land, and to live with the advantages of closer connections to neighbors. They should have that option preserved for them. Please support HB 1087.

Sincerely,

Sharon Clark  
Resident of the Town of Grafton  
[sharonclark411@gmail.com](mailto:sharonclark411@gmail.com)

## Heather Goley

---

**From:** Sharon Clark <sharonclark411@gmail.com>  
**Sent:** Monday, January 31, 2022 2:19 PM  
**To:** ~House Municipal and County Govt  
**Subject:** Support HB1087

Dear Committee Members,

Please support HB 1087. This could help a lot of people afford their own land.

Sincerely,

Sharon Clark  
Town of Grafton  
[sharonclark411@gmail.com](mailto:sharonclark411@gmail.com)

## Heather Goley

---

**From:** Brett Tourigny <tourigny936@gmail.com>  
**Sent:** Sunday, January 30, 2022 8:14 PM  
**To:** ~House Municipal and County Govt  
**Subject:** HB1087

My name is Brett Tourigny, resident of Moultonborough NH. I support this bill.

HB 1087 - AS INTRODUCED

2022 SESSION

22-2351

08/10

HOUSE BILL **1087**

AN ACT relative to zoning for single family housing lots.

SPONSORS: Rep. Yokela, Rock. 33; Rep. Stavis, Graf. 13; Rep. Oxenham, Sull. 1; Rep. McWilliams, Merr. 27

COMMITTEE: Municipal and County Government

---

ANALYSIS

This bill limits the authority of local land use planning boards relating to ordinances governing lot sizes.

-----

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.

STATE OF NEW HAMPSHIRE

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

AN ACT relative to zoning for single family housing lots.

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

1       1 Local Land Use Planning and Regulatory Powers; Lot Sizes. Amend RSA 674:16, I(b) to read  
2 as follows:

3               (b) Lot sizes, the percentage of a lot that may be occupied, and the size of yards, courts  
4 and other open spaces, *provided that:*

5                       (1) *No ordinance shall require more than a 10,000 square foot lot size for*  
6 *single family housing lots where such lots are serviced by a municipal or community water*  
7 *and sewer infrastructure; and*

8                       (2) *The lot or lots do not exceed the existing municipal or community water*  
9 *and sewer infrastructure capacity; and that*

10                      (3) *Nothing in this subparagraph shall be construed to limit the use of RSA*  
11 *674:21, I(k) to designate areas in the community with smaller lot size requirements for*  
12 *housing;*

13       2 Effective Date. This act shall take effect 60 days after its passage.