**RSA 676:6 Effect of Appeal to Board. –** The effect of an appeal to the board shall be to maintain the status quo. An appeal of the issuance of any permit or certificate shall be deemed to suspend such permit or certificate, and no construction, alteration, or change of use which is contingent upon it shall be commenced.

Standard of Review by the ZBA:

**🡪 On issues of ZO application/interpretation:**

**RSA 674:33 Powers of Zoning Board of Adjustment. –**
I. (a) The zoning board of adjustment shall have the power to:

1. Hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16

**🡪 On issues of Building code application/interpretation:**

**RSA 673:1 Establishment of Local Land Use Boards. –**
. . . .
V. Every building code adopted by a local legislative body shall include provisions . . . for the establishment of a building code board of appeals. If no provision is made to establish a separate building code board of appeals, the ordinance shall designate the zoning board of adjustment to act as the building code board of appeals.

**RSA 673:3 Zoning Board of Adjustment and Building Code Board of Appeals. –**

. . .

IV. . . . an elected zoning board of adjustment may act as the building code board of appeals pursuant to RSA 673:1, V.

**RSA 674:34 Powers of Building Code Board of Appeals. –**
I. The building code board of appeals shall hear and decide appeals of orders, decisions, or determinations made by the building official or fire official relative to the application and interpretation of the state building code or state fire code as defined in RSA 155-A:1. An application for appeal shall be based on a claim that the true intent of the code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of the state building code or the state fire code.

II. Appeals of decisions of any local building code board of appeals shall be made within 30 days of the board's decision to the state building code review board as outlined under RSA 155-A:10, IV(c).

Powers of ZBA:

**RSA 674:33 Powers of Zoning Board of Adjustment. –**

II. . . . the zoning board of adjustment may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination appealed from and may make such order or decision as ought to be made and, to that end, shall have all the powers of the administrative official from whom the appeal is taken.

**RSA 674:34 Powers of Building Code Board of Appeals. –**
I. . . The board shall have no authority to waive requirements of the state building code or the state fire code.