

PLANNING BOARD
TOWN OF CHESTERFIELD

RULES OF PROCEDURE

AUTHORITY

These Rules of Procedure are adopted under the authority of New Hampshire Revised Statutes Annotated, Chapter 676:1.

MEMBERSHIP

MEMBERS – The Planning Board shall consist of seven members, as required by RSA 673:2. Six of these seven members shall be appointed by the Board of Selectmen to three year terms, such terms to be staggered. The seventh member shall be a selectman designated by the Board of Selectmen as an ex-officio member, whose term shall parallel their term as selectman.

ALTERNATES – There shall be not less than two, nor more than three regular alternates to the Planning Board, as required by RSA 673:6. These three shall be appointed by the Board of Selectmen to three year terms, such terms to be staggered. A fourth alternate shall be a representative of the selectmen designated by the Board of Selectmen as an ex-officio alternate.

OFFICERS

CHAIR – A Chair shall be elected annually by a majority vote of the Board in the month of January. The Chair shall preside over all meetings and hearings, decide which alternates shall be seated, appoint such committees as directed by the Board and shall affix their signature in the name of the Board. It shall further be the duty of the Chair to represent the Board before other bodies and to undertake such other duties as may be asked by the Board.

VICE-CHAIR – A vice-Chair shall be elected annually by a majority vote of the Board in the month of January. The vice-Chair shall preside ex-officio in the absence of the Chair and shall have the full power of the Chair during their absence.

SECRETARY – A secretary shall be elected annually by a majority vote of the

Board in the month of January. The Secretary may affix their signature on plans in the name of the Board. The secretary shall preside ex-officio in the absence of the Chair and the vice-Chair and shall have the full power of the Chair during their absence.

CLERICAL SECRETARY – A clerical secretary shall be provided from the Town staff. The clerical secretary shall maintain a record of all meetings, transactions and decisions of the Board, and perform such other duties as the Board may direct.

TERMS – All officers shall be voting members who serve as officers for one year and shall be eligible for re-election. In the event an officer leaves the board prior to the end of the term, a special election will be held for a replacement officer.

COMMITTEES – The Chair shall have the power to appoint such committees as the Chair deems necessary to serve the Chair in an advisory capacity. The Chair may also appoint a Chair to such committees.

FUNCTIONS

MASTER PLAN – In accordance with the provisions of RSA 674:1-4, it is the Board's duty to prepare, amend, promote interest in, and understanding of, a master plan. It is also their responsibility to consult with and advise public officials, civic, educational, professional, research and other organizations, and to consult with citizens in order to complete and carry out the Master Plan.

It shall be a policy of the Board to update the entire Master Plan every ten years. The Master Plan shall be kept in notebook form, by the Planning Department, to facilitate revisions. Prior to adoption of revisions or new sections of the Master Plan, the Board shall hold a public hearing, in accordance with the requirements of state law.

CAPITAL IMPROVEMENT PLAN – The Planning Board shall review the validity of the six year Capital Improvement Plan (CIP) every year.

LAND USE REGULATIONS – The Planning Board shall review the Land Use Regulations periodically. Changes may be made and adopted periodically by the Planning Board, after a public hearing.

ZONING ORDINANCE – The Planning Board shall review the Zoning Ordinance periodically and recommend any changes and/or additions to the Town for approval at Town Meeting.

ADDITIONAL AUTHORITY – In accordance with RSA 74:1, the Board has the authority to do the following:

- make investigations, maps and reports, and recommendations which relate to the planning and development of Chesterfield;
- recommend programs for the erection of public structures, and programs for municipal improvements;
- attend planning conferences, meetings and hearings upon pending municipal planning legislation

MEETINGS

QUORUM – A quorum for all meetings of the Board shall be four members, including alternates sitting in place of members. Voting members must be present for in-person meetings. In accordance with RSA 673:11, whenever a regular Board member is absent from any meeting or hearing, or disqualifies themselves from sitting on a particular case, the Chair shall designate one of the alternate members to sit in place of the absent or disqualified member, and such alternate shall be in all respects a full member of the Board while so sitting.

CONFLICT OF INTEREST – In accordance with RSA 673:14, no Board member shall participate in a hearing or decision of any question, if that member has a direct personal or pecuniary interest in the outcome.

DISQUALIFICATION – If any member finds it necessary to disqualify themselves from sitting in a particular case, they shall notify the Chair as soon as possible so that an alternate may be requested to sit in their place. The disqualification shall be announced by either the Chair or the member disqualifying themselves before the beginning of the public hearing on the case. The member disqualifying themselves shall absent themselves from the Board table during the public hearing and during all deliberation on the case.

ATTENDANCE – Should any member know that they will not be able to attend a meeting, they shall notify the Chair or Clerical Secretary, so that an alternate can be duly appointed.

ABSENCES – Should any member miss three unexcused consecutive meetings, or more than six unexcused meetings annually, that member may be recommended to the Board of Selectmen for removal.

POSTPONEMENT OF MEETINGS – Meetings shall be postponed by the

approval of the majority of the Board to be documented by the Chair. The Chair may postpone or cancel a meeting for emergency situations, such as snow, to be documented by the Chair.

ORDER OF BUSINESS – The order of business for Regular Meetings should be as follows:

1. Call to Order by the Chair
2. Seating of Alternates
3. Review of Minutes
4. Conceptual Consultations
5. Public Hearings
6. Items for Discussion
7. Items for Information
8. Other Business
9. Items for Signature (including Minutes)
10. Adjournment

Documents that are normally signed by all of the members of the board present must be signed by the board members in public meeting unless the board approves an alternate method by motion for a specific document. Documents approved by the board that only require the Chair's signature may be signed by the Chair at any time.

The order of business for Work Sessions shall be the same as for Regular Meetings with the exception of public hearings. Work Sessions are not to include public hearings. Input by the public attending shall be solely at the discretion of the Chair. The order may be revised for efficiency.

CALENDAR OF BUSINESS – The Board shall appropriately handle those issues which arise annually and have been placed on the Calendar of Business which shall be adopted annually in the month of April.

AGENDAS – Agendas shall be prepared for every meeting of the Planning Board. Preparation of agendas are the authority of the Planning Board; administrative responsibilities for its preparation are delegated to the clerical secretary, who will prepare and post it, and to the Chair, who will have final approval of content.

Agendas and corresponding material shall be dispersed to the Planning Board membership at the meeting by the Planning Board Clerical Secretary.

ROBERT'S RULES OF ORDER – Robert's Rules of Order may be used to decide all parliamentary questions not specifically provided for in these rules of procedure, points of order will be decided by the Chair unless

there is an objection by a board member, in this case the point of order will be decided by majority vote.

THE APPLICATION AND DECISION PROCESS

APPLICATIONS – Each application for a hearing before the Board shall be made on forms provided by the Town and shall be presented to the Clerk in the Selectmen's Office who shall record the date of receipt over their signature.

Applications, including drawings, and decisions shall meet the specifications of applicable Town Ordinances.

All forms and revisions prescribed shall be adopted by resolution of the Board and shall become part of these Rules of Procedure.

PUBLIC NOTICE – Public notice of public hearing on each application shall be given in the Brattleboro Reformer and Keene Sentinel and shall be posted in those locations prescribed by the Town Clerk for the publishing of Town notices not less than ten days before the date fixed for the hearing. Notice shall include the name of the applicant, location of property, action desired by the applicant, the type of application being made, the date, time and place of the hearing, and the date, time and place where plans can be reviewed.

Personal notice shall be made by certified mail to the applicant and all abutters, not less than ten days before the date of the hearing. Notice shall also be given to the Fire Chiefs, Road Agent, Code Enforcement Officer, Chief of Police, Conservation Commission, Selectmen's Secretary and other parties deemed by the Board to have special interest electronically or by other means. Said notice shall contain the same information as the public notice.

PUBLIC HEARING – The conduct of public hearings shall be governed by the following rules:

1. The Chair shall call the hearing into session.
2. Applicant presents testimony.
3. Members of the Board may ask questions at any point during the testimony after being recognized by the Chair, although the preference is that questions be held until after the testimony.

4. Each person who appears shall be required to state their name and address and indicate whether they are a party to the case, an agent or counsel of a party to the case, an abutter or a party with interest.
5. Any party to the case who wants to ask a question of another party to the case must do so through the Chair.
6. Discussion, Deliberation, Motions and the Vote– Board discussion may be allowed by the Chair during the presentation to insure full understanding of individual portions of the information being presented. The public testimony begins when the initial board members questions are satisfied. Deliberation begins when public testimony is complete and a motion may be then made on the proposal. The Chair may set time limits and limit redundant testimony. During the Deliberation portion of the meeting, the Chair may recognize the public or applicant for new information, at the Chair's discretion.

Motions – When a motion is made and seconded, it may be stated by the clerical secretary before debate. Any member may demand that it be put in writing before consideration. A motion may not be withdrawn by the mover without the consent of the member seconding it.

Vote – Each member present when a question is placed shall vote either yes, no or abstain when called for by the Chair. All voting will be by a roll call vote. The Chair may request a show of hands instead.

7. Decisions – The Board shall approve or deny the application, or defer its decision. Notice of decision or deferral will be provided to the applicant and made available for public inspection within 144 hours, as required by RSA 676:3.

PERMISSION TO ADDRESS THE BOARD – Persons other than members of the Planning Board, Town Officers and employees shall be permitted to address the Planning Board. They shall request to be placed on the agenda by contacting the clerical secretary.

RECORDS – The records of the Board shall be kept by the clerical secretary and made available for public inspection at the Town Offices in accordance with statutory requirements.

Minutes of all meetings including names of Board members and staff persons appearing before the Board, and a brief description of the subject matter discussed and final decisions shall be open to public inspection within 144 hours of the public meeting in accordance with RSA 91-A:2 II.

The official minutes of the Board shall be those minutes which are in writing, which have been reviewed, voted upon, approved by a majority vote of the Board, and signed by the Chair.

Any tapes of Board meetings are for administrative convenience only, and are not the official minutes of the Board.

As required by RSA 91-A:4, all notes, materials, tapes or other sources used for compiling the minutes of meetings, will be made available to the public upon request. However, these will not be considered official minutes.

JOINT MEETINGS AND HEARINGS

The Planning Board may hold joint meetings and hearings with other “land use boards” including but not limited to, the Historic District Commission, the Zoning Board of Adjustment and Appeals, the Conservation Commission and the Building Inspector. Each board shall have discretion whether or not to hold such joint meeting or hearing (RSA 676:2).

Joint business meetings with another local land use board may be held at any time when called jointly by the chair of the two boards.

A joint public hearing must be a formal public hearing when the subject matter of the hearing is within the responsibilities of the boards convened.

The Planning Board chair shall chair all joint meetings and public hearings when the subject matter involves the Planning Board.

The rules of procedure for joint meetings and hearings, the subject matter of which involves the Planning Board, shall be the same as these rules of procedure except that the order of business shall include:

- a. Introduction of members of both boards by Chair
- b. Explanation of reason for joint meeting/hearing by Chair

Each board involved in a joint public hearing makes its own decision, based on its criteria for the particular matter.

ZOOM MEETINGS:

Permissions

Administrative Secretary: Administrator/ Host

Board Chair: User/ Alternate Host

Order of Operations

Administrative Secretary of Board:

Schedules meeting

Invites Board & Applicants

Schedule chair as alternate Host

Meetings

Host shall open meeting

Meeting shall not open till 10 minutes prior to meeting

All meetings should be set with attendees on mute

Chair/ Alternate Host will unmute the board and participants as applicable

No business shall be discussed until the scheduled meeting time

Non Board Members may be asked not to share their video until recognized to speak

If the Administrative Secretary is unavailable, the Chair will open the meeting.

If a scheduled meeting is unable to be held for any reason or is terminated without adjournment, all scheduled items are automatically continued until the next scheduled meeting

Vacations/Sick Time:

Administrative Secretary shall schedule in advance to avoid conflict

Should Administrative Secretary become incapacitated the Administrative Secretary from the opposite Board shall become administrator and set meetings as necessary

CHANGING THE RULES OF PROCEDURE

ADOPTING RULES – All rules whether newly created, or amended shall be adopted at a regularly scheduled meeting of the Board and shall be placed on file with the Town Clerk for public inspection, in accordance with RSA 676:1.

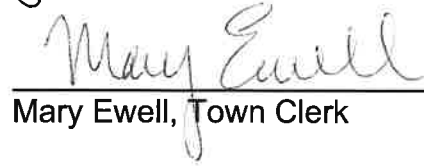
AMENDING RULES – These rules may be amended, or new rules adopted during a regularly scheduled meeting, by a majority vote of all members of the Planning Board present. Any such alterations shall be submitted in writing at the preceding meeting, and shall be placed on the agenda under the order of "Items for Discussion". The requirement shall be waived only by a unanimous consent with a recorded vote of all members present.

SUSPENDING RULES – These rules may be temporarily suspended by a two-thirds vote of the members present and voting.

EFFECTIVE DATE: 18OCT2022


James Corliss, Chair


Joe Parisi, Vice-Chair


Mary Ewell, Town Clerk