

Rules of Procedures for the Stratford Planning Board

Adopted 2018-07-17

Authority:

These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated (RSA) Chapter 676:1.

1. Purpose and Intent:

The following rules address the internal procedures of the Board. This is to provide guidelines to the Board and the public for procedural questions that are not covered in NH RSAs

2. Members and Alternates:

- a. The Planning Board shall consist of seven members: five voting members, one of whom shall be an ex-officio member from the Town Select Board, and two, non-voting alternates. All members shall be residents of the Town, and shall be appointed by the Select Board (per 2018 Town Warrant).
- b. The ex-officio member shall have an alternate appointed from the Select Board. An ex-officio member may not serve as chairperson.
- c. Alternates may participate fully in meetings and hearings except they may not vote, make or second motions, or sign documents or maps. Whenever a regular member is absent or recused, the Chair shall designate an alternate, if one is present, to act in the absent member's place; except that only the alternate designated for the ex-officio member shall serve in place of that member.
- d. Each newly appointed or re-appointed member and alternate member shall be sworn in and take an oath of office as required by RSA 42:1. Terms and appointments of regular and alternate members will conform to RSA 673:5, 673:6, and 673:12.
- e. All members, including alternates, are expected to attend all meetings of the Board. Any member unable to attend a meeting will notify the Chair as soon as possible. The Select Board may remove a regular member or alternate upon written findings of inefficiency, neglect of duties, or malfeasance in office, and after a public hearing.
- f. Residents interested in serving on the Planning Board should first contact the Chair.

3. Officers:

- a. Chair: The Chair shall preside over all Board meetings and hearings; shall prepare an annual report and budget, and agenda; shall appoint such committees as directed by the Board; and shall perform other duties customary to the office. The Chair or designated representative shall be the sole spokesperson for the Board when dealing with outside entities such as other boards, the press, legal counsel, and consultants. The Chair or designated representative shall execute all formal documents on behalf of the Board. The Chair shall report such contacts to the Board at the Board's next meeting.
- b. Vice-Chair: The Vice-Chair shall preside in the absence of the Chair and shall have the full powers of the Chair on matters that come before the Board in the absence of the Chair.

- c. Chair in Abstention: In the absence or unavailability of both the Chair and Vice Chair, the members present shall select a member, excluding the ex-officio member, to exercise the duties of the Chair.
- d. All officers shall serve for one year and shall be eligible for re-election. Officers shall be elected by the members of the Board at the first business meeting after Town Meeting.

4. Meetings:

- a. Regular business meetings shall be held downstairs in the Stratford Town Hall at 6:30 p.m. on the third Tuesday of each month unless otherwise posted. Special meetings may be held on call of the Chair or Vice-Chair (in the Chair's absence), provided public notice and notice to each member is given at least 24 hours in advance of such meetings. Business meetings in general will last no longer than two hours. Any items remaining on the agenda will be heard at the next scheduled meeting.
- b. Nonpublic sessions shall be held only in accordance with RSA 91-A:3.
- c. Quorum: A majority of the Board members shall constitute the quorum necessary to transact business. This may include any alternates appointed to sit in place of regular members.
- d. All votes on any matters to come before the Board shall be taken after the matter has been duly moved, seconded and discussed. All votes shall be decided by simple majority. In the case of a tie vote, the motion fails.
- e. Continuance: A public hearing may be continued pending the submission of additional material or information or the correction of noted deficiencies. A valid motion to continue a hearing on a later date shall require a named date, time, and location for the continuance.
- f. Any member who finds it necessary to be recused on a matter before the board shall notify the Chair as soon as possible. The recusal shall be announced by either the Chair or the member before the beginning of discussion by the Board. The recused member shall leave the meeting room during all deliberations on the matter. Any Board member who is an abutter to a property under review by the Board shall not sit for any hearing, review or vote on the application. (RSA 673:14). If it is uncertain if a member should be recused, the Board will vote on the question at the request of that member or another member of the Board.

5. Order of Business during meetings:

- a. Call to order by the Chair.
- b. Minutes from the previous meeting and a preliminary meeting agenda will be sent by email to members before the meeting takes place. Any comments or changes will be discussed at the meeting.
- c. Pertinent business before the board.
- d. The Chair may include time for public comment at the end of the meeting.
- e. Adjournment.
- f. The Chair may vary the order of business to accommodate the needs of Board members, applicants, or the public.
- g. Draft meeting minutes will be recorded by the Secretary, and emailed to the Town Office within five business days for public inspection at the Town Office.

6. Joint Meetings and Hearings:
 - a. The Board may hold joint meetings and hearings with other Stratford land use boards and commissions following the procedures in RSA 676:2. The board shall have discretion as to whether or not to hold a joint meeting with any other board.
 - b. Joint meetings and hearings with any other board may be held at any time with proper public notice when called jointly by the Chairs of the boards.
 - c. The board shall make no decision until the joint meeting or hearing is over and shall make any decision independently of other boards.
 - d. The Planning Board shall hold joint meetings and hearings with local land use boards from other municipalities when so petitioned by an applicant whose proposal involves the municipalities' boundaries following the procedures in RSA 674:53, VI.
 - e. Joint meeting and hearings will be held in the Town with the greatest number of acres affected by the proposal.
7. Procedures on Subdivision Applications:

These procedures are covered in the current Subdivision Regulations.
8. Public Hearings of the Planning Board:
 - a. Public Hearings are held to inform the public and take public testimony for subdivision regulation amendments, master plan amendments, subdivision applications and any other issues as required by state statutes.
 - b. Notice of all public hearings shall be posted in a local newspaper of general circulation, the Town Office, and at least one other establishment open for public business in town not less than 10 days before the date fixed for the hearing, not including the day of notice or the day of the hearing. Notice for subdivision application shall include the name of the applicant, description of the property or project, action desired by the applicant, location of the property or project, the date, time, and place of the hearing.
 - c. Notice shall be given by certified mail, return receipt requested, to applicants, all abutters, holders of conservation, preservation or agricultural preservation restrictions and all professionals whose seal appears on the map no less than 10 days before the date fixed for the hearing. Notice shall also be given to other parties deemed by the Board to have special interest. Said notice shall contain the same information as the public notice.
 - d. The conduct of public hearings shall be governed by the following procedures:
 1. The Chair shall call the hearing in session and ask for the Secretary to confirm that all proper notice has been given. The Chair will explain the procedures that will be followed during the hearing.
 2. The Chair will present an overview of the topic under discussion.
 3. All members of the public may ask questions or make comments on the topic at hand. All questions and comments will directed to the Chair; pertinent questions may be answered by the Chair or other Board members called upon by the Chair.
 4. Each member of the public who speaks shall be required to state his or her name and address. The Chair shall have discretion to limit the amount of time taken by each speaker and whether a single person shall be permitted to address the Board more than once.
 5. Members of the Board may ask questions at any point during testimony.
 6. All written comments will be read into the public record.

- e. The Chair will announce the procedures the board will follow when making a decision.
- f. The Chair will close the hearing when the public comment period is over. The meeting may then be opened for other business.
- g. For subdivision application hearings, the same basic procedure is followed, with the following differences:
 - 1. The applicant or designated representative shall describe the purpose of the application and review the information provided on maps provided as part of the application.
 - 2. Abutters or any person with a direct interest in the matter may make comments or ask questions about the application through the Chair. Written testimony is also permitted.
 - 3. Other parties such as representatives of Town departments or other Town boards shall present comments in person or in writing.
 - 4. Other members of the public may be called upon to ask questions or make comments on the application. Any member of the public who wants to ask a question of a party to the application must do so through the Chair.
 - 5. The Chair will summarize the comments and give the applicant the opportunity to clarify any issues.
 - 6. The hearing on the application, unless continued, shall be declared closed, and the meeting may then be reopened for other business coming before the Board.
 - 7. In the case of a continuance, additional notice is not required if the date, time and place of the continuation is made known at the hearing.

9. Amendments:

These rules of procedure may be amended by a majority vote of the Board. The Town Office will keep a current copy of these rules for public inspection.