

**RULES OF PROCEDURE
SWANZEY PLANNING BOARD**

These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated, 1988, Chapter 676:1 and the Zoning Ordinance and Map of the Town of Swanzey, New Hampshire.

ORGANIZATION

1. Members: Planning Board members are elected and positions filled on a staggered basis at regular town elections pursuant to RSA 669:17. Selectmen shall choose one selectman as an ex-officio member to the Planning Board.
2. Alternate for ex-officio member. An alternate for the ex-officio member to the Planning Board shall be appointed by the Selectmen pursuant to RSA 673:2,II(B)(1). The term of ex-officio alternate member shall be the same as those of the respective members and is in addition to the alternates.
3. Alternates.
 - a. Elected Planning Board members may appoint 3 alternate members for a term of 3 years each.
 - b. Appointment to a Planning Board shall comply with the multiple membership requirements of RSA 673:7,I.
 - c. Vacancies in the membership occurring other than through the expiration of a term of office shall be filled as follows:
 - (1) For an elected member - By appointment by the remaining board members until the next regular municipal election at which time a successor shall be elected to either fill the unexpired term or start a new term, as appropriate.
 - (2) For an alternate member - By appointment by the remaining board members for a period of three years.
 - d. Nomination procedure.

When a vacancy occurs either for an elected member or an alternate member, a notice of vacancy shall be posted in at least two public places. The term of office shall be indicated on the posting. When vacancies are posted, registered Swanzey voters seeking to be appointed shall submit their letter of interest to the Town Planner or designee. The vote on the appointment shall occur at a date and time included in the posted notice of vacancy.

MEETINGS

1. Regular Planning Board meetings are held on the second and fourth Thursday of every month at the Town Hall located at 620 Old Homestead Highway, Swanzey, at 6:00 p.m. In the event that the meeting will not be held at Town Hall, notice must be posted pursuant to RSA 91-A of the change in location.
2. A quorum for all meetings of the board shall be four members, including alternates sitting in place of regular members.
3. If any regular member is absent from any meeting or hearing, or disqualifies himself from sitting on a particular case, the chairman shall designate one of the alternate members to sit in place of the absent or disqualified member, and each alternate shall be in all respects a full member of the board while so sitting.
4. If any member finds it necessary to disqualify himself from sitting in a particular case, as provided in RSA 673:14, the procedures contained in the Ordinance of the Town of Swanzey Conflicts of Interest Described and Regulated, adopted at Town Meeting March 14, 1995, will be followed.
5. The order of business for regular meetings shall be as follows:
 - a. Roll Call by Chairman.
 - b. Reading of Agenda by Chairman.
 - c. Public Hearings.
 - d. Acceptance of Applications for Review. (Comments from abutters and the public will be accepted only on the issue of completeness of the application.)
 - e. Informal Conceptual Consultations.
 - f. Minutes of previous meeting.
 - g. Signing of Approved Plans.
 - h. Reports of Special Committees.
 - i. Adjournment.

APPLICATIONS/DECISIONS

Rules of Procedure - Swanzey Planning Board

Adopted by Planning Board on March 14, 2013; Filed with Town Clerk on 4/18/13

1. Application procedures for subdivision and site plan review.

a. Pre-application Review (RSA 676:4). This phase is optional at the discretion of the applicant, but is recommended for any large project. Information discussion at any regular scheduled meeting - Non-binding and no Public Hearing required.

b. Design Review Phase. Design Review Phase (RSA 676:4). While still non-binding, this discussion would involve more specifics, and require a notification of abutters.

c. Completed Application (Required).

(1) A completed application sufficient to invoke jurisdiction of the board shall be filed with the board's designee at least 21 days prior to the public meeting at which it is to be submitted.

(2) A completed application shall include all fees for notices and any other fees assessed by the Board under the provisions of RSA 676:4,I(g).

(3) The Board (with recommendations from the board's designee) will determine if the application is complete.

(4) An application that is considered complete shall be submitted to and accepted by the board only at a regular meeting after due notification has been given as required by RSA 676:4,I(d). Acceptance will be by affirmative vote by a majority of the board. A Public Hearing will be scheduled for the next regular meeting of the Planning Board.

(5) A Public Hearing is required after the acceptance of a completed application. The applicant will be notified in writing when the application has been accepted and the 90 days clock starts.

DECISIONS

1. After the close of the Public Hearing, the board may defer discussion on the case to a later time and continue with the next agenda items.
2. The Board may approve or deny the request, approve with conditions, or defer the decision.
3. Notice of decision shall be filed in writing within 72 hours after a decision is made, as required in RSA 676:3.

In the case of a denial or deferral, the notice shall include the reasons therefore.

Rules of Procedure - Swanzey Planning Board

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PUBLIC NOTICE

Public Hearing notices shall follow the procedure outlined in RSA 676:4. Public Notice will be published in the legal section of the Keene Sentinel, and two other places in town.

PUBLIC HEARINGS

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

1. The Chairman shall call the hearing in session and ask for the clerk's report on the first case.
2. The applicant shall be called to present his proposal.
3. Members of the board may ask questions at any point in the testimony.
4. Each person who appears shall be required to state his name and address and indicate whether they are a party to the case, or an agent or counsel.
5. Those in favor of the proposal shall be allowed to speak.
6. Those in opposition shall be allowed to speak.
7. Those in favor of the proposal shall be allowed to speak in rebuttal.
8. Those in opposition shall be allowed to speak in rebuttal.
9. Any member of the Board, through the Chairman, may request any party to the case to speak a second time.
10. Any party to the case who wants to ask a question or another party to the case must do so through the Chairman.
11. The Planning Board will hear with interest any evidence that pertains to the facts of the case or how the facts relate to the provisions of the town Zoning Ordinances and the State RSAs.
12. After all evidence, the Chairman shall close or continue the Public Hearing.

RECORDS

1. The records of the Board shall be kept by the clerk and made available for public inspection at the Town Hall in accordance with statutory requirements.
2. Minutes of all meetings, including names of board members, persons appearing before the board, any and all votes taken and a brief description of the subject matter shall be open to public inspection within 144 hours of the public meeting. RSA 91-A:2,II.

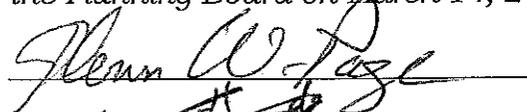
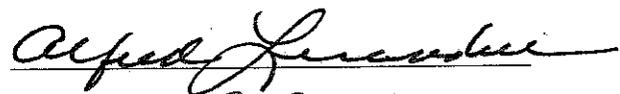
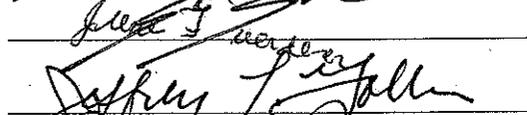
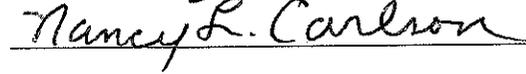
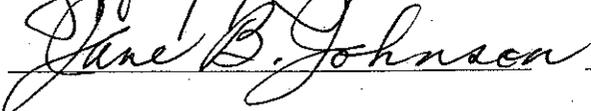
JOINT MEETINGS AND HEARINGS

1. Joint meetings may be held with other boards under the provisions of RSA 674:2 if both boards are agreeable.

AMENDMENTS

These rules of procedure may be amended by a majority vote of the Board members present (including alternates) provided that such amendment is discussed at a meeting of the Planning Board, and following said discussion the text of the proposed amendment is posted in at least two public places in Town at least ten (10 days) preceding the meeting when the vote is to be taken.

We hereby attest that this is a true copy of the Rules of Procedure adopted by the Planning Board on March 14, 2013.

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