

TOWN OF LOUDON,
NEW HAMPSHIRE

PLANNING BOARD

RULES OF PROCEDURE

Amended/Enacted:

December 3, 2003

April 21, 2022

CERTIFICATE OF ADOPTION

In accordance with New Hampshire RSA 676:1 the Loudon Planning Board hereby adopts and certifies these Rules of Procedure, amended 4/21/2022, 2022.

Rodney W Phillips
Chairman

Vice Chair

Stanley H Prescott II
Member

John Paul
Member

Wally White
Member

Mark H. Green
Member

John Stone
Selectmen's Delegate

Wally
Alternate

Robert Phillips
Alternate

This document was received and recorded by the Town Clerk on 6/21/2022, 2022.

Signed: Ashley Amato
Loudon Town Clerk

Seal:

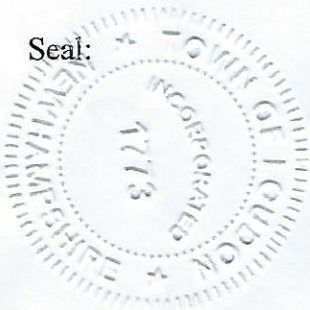


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1. PURPOSE & AUTHORITY

The Loudon Planning Board adopts the following Rules of Procedure in accordance with the provisions of RSA 676:1, to develop and promote consistency in Board actions.

2. ORGANIZATION

A. Members

The Loudon Planning Board consists of seven members, who must be residents of the Town of Loudon and who shall be elected by the legislative body in conformance with RSA 673:2. One of the seven members shall be designated by the Selectmen as an Ex-Officio Member. The term of the members shall be for three years, or, as elected, to complete an unexpired term. Unexpired terms for members shall be filled by appointment by the remaining board until the next regular municipal election in conformance with RSA 673:12.

B. Alternate Members

The Planning Board may appoint up to three Alternate Planning Board Members for terms of three years each in conformance with RSA 673:6. Unexpired terms for alternate members shall be filled by appointment by the Planning Board. Whenever a member of the Board is unable to attend a regular or specially called meeting of the Board or to perform other responsibilities, said member will notify the Chairperson who will select one of the alternates to assume the responsibilities.

3. REMOVAL OF MEMBERS

Once elected or appointed, no Member or Alternate Member may be removed until after a Public Hearing is held pursuant to RSA 673:13.

4. CHAIRMAN AND OFFICERS

A. Chairperson

A Chairperson shall be elected annually by the Board in the month of March by a majority vote of the Board. Said Chairperson shall serve for one year and shall be eligible for re-election. He/she shall preside over all meetings and hearings, appoint such committees as directed by the Board, and shall affix his/her signature in the name of the Board.

B. Vice-Chairman

A Vice-Chairperson shall be elected annually by the Board in the month of March by a majority vote of the Board. Said Vice-Chairperson shall serve for one year and shall be eligible for re-election. Said Vice-Chairperson shall preside in the absence of the Chairperson and shall have the full powers of the Chairperson on matters which come before the Board during the absence of the Chairperson.

C. Administrative Assistant

An administrative assistant shall be hired at the discretion of the Board. He/she shall maintain a record of all meetings, transactions, findings of the Board, and perform such other duties as the Board may direct by resolution.

5. DISQUALIFICATION OF A MEMBER

A Board member must avoid any conflict of interest or even the appearance of a conflict of interest. (RSA 673:14 I.) Typical situations where a Board member should disqualify himself or herself would be the following:

1. A member stands to gain a financial or economic benefit directly or indirectly, depending upon the outcome.
2. A member has been retained or employed by the applicant or has performed some service for the applicant which is directly related to the matter at hand (such as an attorney or surveyor who also sits as a member of the Board).
3. A member is related to either party.

A member should always, in advance of any deliberations, fully disclose the nature and extent of any matter which may disqualify that member from deliberating or making a decision. Any member may disqualify himself or herself from any matter.

When uncertainty arises, any member of The Board may request a vote on the question of whether that member should be disqualified. Any such request and vote shall be made prior to or at the commencement of any required public hearing. Such a vote shall be advisory and non-binding and may not be requested by persons other than board members. (RSA 673:14 II.)

If a member is disqualified or unable to act in any particular matter pending before the Board, the Chairman shall designate an alternate, if present, to act in that member's place.

If the Chairman is disqualified to sit on any particular matter pending before the Board, if possible the Chairman should not chair any portion of that particular meeting but should appoint the Vice-Chairman to serve as acting Chairman instead, disclosing the reasons therefore. If such a matter comes up during the meeting, the Chairman should at that time appoint the Vice-Chairman to serve as acting Chairman to chair the remainder of the meeting, disclosing the reasons therefore.

Any member whose interest in the outcome of a particular matter exists by reason of being an abutter to property which is the subject matter before the Board, shall be disqualified to deliberate and decide as to that matter; such a member should not sit as a Board member during that portion of the meeting.

Any member so disqualified shall physically remove himself or herself from the table during the period of disqualification.

6. MEETINGS

A. Notification

A notice of the time and place of all regular and special meetings, site inspections and work sessions of the Board or any duly appointed subcommittee of the board shall be posted in two public places in Loudon and on the Town website at least twenty-four hours, excluding Sundays and legal holidays, prior to such meetings.

This notice requirement does not apply to an emergency meeting, which is defined as a situation where immediate undelayed action is deemed to be imperative by the Chairman. In such a case, the Chairman shall employ

whatever means are available to inform the public that an emergency meeting is to be held.

Only those acts or decisions which take place at a "meeting" as defined above shall be considered to be valid and lawful acts or decisions of the Board.

B. Public Hearings

Notice for public hearings shall be given in accordance with section 11.2 of the Land Development Regulations (RSA 676:4 (d)(1)).

C. Decisions

All decisions issued by the Board shall be available for public inspection during regular business hours at the office of the Planning Board within five business days after the decision is made.

D. Minutes

The Board shall keep accurate records of its meetings in accordance with the provisions of RSA 91-A. Minutes shall be available for inspection within five business days of a meeting during regular business hours at the office of the Planning Board.

E. Records

All application files shall be available for public inspection during regular business hours at the office of the Planning Board.

7. PROCEDURE AT MEETINGS

A. Order of Business:

The order of business for regular meetings shall be as follows:

1. Chairperson calls the meeting to order.
2. Chairperson asks for roll call by members.
3. Appointment of Alternates

4. Ask if anyone is present from the Police Department, Fire Department, or Conservation Commission.
5. Review and Approval of minutes from previous meetings.
6. Discussions
7. Conceptual Consultations
8. Design Reviews
9. Old Business
10. New Business
11. Board Discussions
12. Reports of Committees and Boards
13. Adjournment

B. Quorum

A quorum for regular business shall consist of four members. If a member disqualifies himself or cannot act in a particular case, he/she shall so notify the Chairperson, who shall appoint an alternate, who shall have all the powers and duties of a regular member in regard to the case under consideration on which the regular members is unable to act.

C. Public Hearings

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

1. Chair/Vice-Chair introduces the application
2. Alternates are appointed if necessary
3. The applicant or presenter is asked to step forward and introduce themselves for the record
4. The Chairperson asks if there are any abutters present for the hearing
5. Determine if the application is complete (if not previously accepted)
6. Determine if application represents Development of Regional Impact (DRI) (if not previously determine)
7. Open the Public Hearing (make note of the time)
8. The applicant presents the project
9. The chairperson asks if there are abutters who would like to speak in favor or against this application
10. Board members should ask any questions of the applicant during this time of public comment

11. At the time all public comment has been taken and the Board has received all of the testimony necessary from the applicant, the Public Hearing is closed (make note of the time)

NOTE: At this point no comments from the public (including the applicant) are allowed. This includes questions from the Board to the applicant!

12. The Board discusses amongst themselves the merits of the application
13. Waivers are approved or denied
14. Board members may make a motion at this point to approve the application, deny the application, or to continue the application
15. If the application is continued, the Chairperson will inform the public of the date, time, and place for the next hearing

8. ADMINISTRATION

A. Amendment

These rules-of-procedure may be amended by a majority vote of the members of the Board during a regular meeting.

B. Adoption

These Rules shall become effective after a public hearing, adoption, and certification by the Board. Certified copies of the adopted Rules of Procedure shall be placed on file with the Board of Selectmen and the Town Clerk.