

Orford Planning Board
RULES OF PROCEDURE

AUTHORITY:

These rules of procedure are adopted under the authority of the laws of the State of New Hampshire. (RSA 676:1)

NAME:

This organization shall be known as the Orford Planning Board, and may be referred to as "the Board."

OBJECTIVES:

The Planning Board shall regulate the development of the Town through preparation and amendment of a Master Plan and Zoning Ordinances, through Subdivision Regulations, Site Plan Reviews, Capital Improvements Program, and other means in accordance with the laws of the State of New Hampshire. (RSA 674.1)

MEMBERSHIP:

1. **Composition:**
 - a. The Board shall consist of six members elected at Town Meeting and one Selectman as an ex-officio member. (RSA 673:2 II.)
 - b. Up to five alternate members shall be appointed by the Planning Board and shall be designated by the Board Chair to act in an absent or recused member's place. (RSA 673:6)
 - c. Up to two Board members may serve on other local boards or commissions, except that only one member may serve on the Board of Selectmen, Conservation Commission, or other local land use board. (RSA 673:7)
2. **Term:**

The term of office for a Planning Board member or an alternate shall be three years, except that the term of office of the Selectman member shall be decided by the Board of Selectmen in accordance with the Laws of the State of New Hampshire. (RSA 673:5)
3. **Vacancies:**

Vacancies shall be filled at the time of their occurrences by Planning Board appointment 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. If the vacancy is for an ex officio member, the chair may only designate the person who has been appointed to serve as the alternate for the ex officio member. (RSA 673.12)
4. **Duties and Responsibilities of Members:**
 - a. To attend meetings on a regular basis.
 - b. To visit sites of proposals being considered by the Board.

- c. To vote on all motions except in those cases where the member has a conflict of interest or is disqualified for any cause as found in the laws of the State of New Hampshire. (RSA 673.14)
- d. To be familiar with the regulations of the Town of Orford and with the enabling legislation of the State of New Hampshire.
- e. To dismiss alternates for neglect of duty, inefficiency, or malfeasance in office. (RSA 673.13)
- f. To amend the Town Master Plan to guide the development of the municipality.

5. **Duties and Responsibilities of Alternates:**

- a. To attend meetings on a regular basis.
- b. To visit sites of proposals being considered by the Board.
- c. If appointed to fill a vacancy during a meeting, to vote on all motions except in those cases where alternate has conflict of interest or is disqualified for any cause as found in the laws of the State of New Hampshire. (RSA 673:14)
- d. To be familiar with the regulations of the Town of Orford and with the enabling legislation of the State of New Hampshire.
- e. To participate in meetings of the Board as a nonvoting member. (RSA 673:6, V)

6. **Disqualification from a Meeting or Hearing:**

If any member finds it necessary to be disqualified or recused from sitting on a particular case, as provided in RSA 673:14, she/he shall notify the Chair as soon as possible so that an alternate may be requested to fill the member's place. The disqualification shall be announced by either the Chair or the member before the discussion or the public hearing begins. The member disqualified shall leave the Board table during all deliberations and the public hearing on the matter.

If uncertainty arises as to whether a Board member should disqualify her/himself, on the request of that member or the request of another member of the Board, the Board shall vote on the question of whether that member should be disqualified. Such request and vote shall be made prior to or at the commencement of any required public hearing. A vote on a question of disqualification shall be advisory and non-binding, and may not be requested by other than Board members.

7. **Removal of Members and Alternates from the Board:**

If a member or alternate misses three consecutive meetings, the Chair may ask for a resignation from the Board.

Regular and alternate members may only be removed from a Board after a public hearing on the matter to determine inefficiency, neglect of duty, or malfeasance in relation to a Board member's duties as a member. (RSA 673:13)

OFFICERS:

1. **Election, term, and vacancies:**
 - a. The officers of this organization shall be a Chair, a Vice-Chair, and any other officer as the Board deems necessary. (RSA 673:8)
 - b. The term of office for each officer shall be one year or until a successor is elected. (RSA 673:9)
 - c. Election of officers will be held at the first meeting in March.
 - d. Any vacancy shall be filled by majority vote of the Board at the time of its occurrence.

2. **Duties and responsibilities:**
 - a. The Chair shall preside over all meetings and hearings, shall appoint committees as directed by the Board, shall affix his or her signature in the name of the Board and shall set the agenda for each meeting.
 - b. The Vice-Chair shall preside in the absence of the Chair and shall have full power of the Chair on matters which come before the Board during the absence of the Chair.
 - c. If the Chair and Vice-Chair are both absent or abstaining and despite their absence a quorum is found to be present, the Board will choose one of its members to act as Chair.

MEETINGS:

1. **Time and place:**

The Board shall hold at least one regular meeting in each month.

2. **Notification of meetings:**
 - a. The regular monthly meetings shall be posted at least in two public places
 - b. Special meetings may be called by the Chair or in his/her absence, by the Vice-Chair, or at the request of three members of the Board.
 - c. Executive sessions shall be held only in accordance with RSA 91-A:3.
 - d. Notice of all hearings and meetings shall be given to each member at least 48 hours prior to the time of such meeting, and notice of each such meeting shall be posted in accordance with the laws of New Hampshire.
 - e. Agenda and basic information necessary for attending to the business at hand shall be distributed to members prior to each meeting.

3. **Quorum:**

A majority of the membership of the Board shall constitute a quorum, including alternates sitting in place of regular members.

4. **Voting procedures:**
 - a. Decisions shall be made by majority of those members present and voting.
 - b. When the vote in question is evenly divided, the question shall be deemed to have been defeated with reasons stated.

5. **Conduct of meetings:**

- a. The Chair, with the concurrence of the Board, shall establish the procedure and order of business at each meeting and each hearing.
 - b. A part of each regular meeting shall be devoted to public comment.
 - c. No new cases shall be addressed by the Board after 10 PM.
 - d. All meetings will be held with the utmost consideration for all the people involved. If a discussion becomes argumentative, or threats or implications are made of taking the case to court, the meeting may be immediately adjourned by the Chair and continued to another time.
 - e. All present alternates are encouraged to participate in discussion.
6. Minutes of meetings:
- a. A record of those present and of action taken at all meetings shall be kept. All votes taken shall be recorded, noting those in favor and those opposed to the motion.
 - b. The previous meeting minutes shall be read and approved or amended at the beginning of each meeting. Minutes shall be approved by voting members and alternates attending the meeting in question.
 - c. Minority opinions shall be recorded at the discretion of the Chair or by majority vote of the Board.
 - d. Minutes must be available to the public at the Town Offices no less than five business days after the meeting or vote.
7. Records:
- Records of all meetings, transactions, and decisions of the Board shall be maintained in the offices of the Town of Orford.

COMMITTEES:

Committees shall be appointed by the Chair as required by the Board; membership of committees need not be limited to members of the Board.

APPLICATION SUBMISSION REQUIREMENTS AND NOTICE:

1. No hearing will be scheduled for an application until each item on the application checklist has been addressed in writing, including but not limited to all engineering information, notification list with mailing addresses, required fees, and waiver requests. Applications will be delivered to the Planning Assistant for initial review. The application will then be submitted to the Board at a noticed meeting for completion review and vote for acceptance within 30 days of application delivery. (RSA 676:4)
2. Public notice of the submission of and public hearings on each application shall be given in the Valley News and posted in two public places in town not less than 10 days prior to the date fixed for submission and consideration of the application. Notice of submission of application may be combined with notice of the public hearing. The notice shall state that if the application is accepted as complete, it will be on the agenda of each regular Planning Board meeting until a decision is made.

FORMS:

All forms and revisions of forms, such as subdivision applications, shall be adopted by resolution by the Board and shall become part of these rules of procedure.

OPERATING FUNDS:

Funds for the conduct of business of the Board shall come from the revenues of the Town of Orford and from other available sources as determined by the Board of Selectmen.

AMENDMENTS:

The rules of procedure may be amended by majority vote at any duly notified meeting of the Board, provided that proposed amendments are read at one meeting preceding the vote.

VALIDITY:

If any portion of these rules of procedure shall be held to be invalid for any reason by any court, such holding shall not invalidate in any manner any other provisions contained here.

LEGALITY:

If any portion of these rules of procedure shall be found to be in conflict with the laws of the State of New Hampshire, the State statute shall prevail.

ADOPTED: July 20, 2009
March 19, 2012

