

**RULES OF PROCEDURE  
for the  
GREENFIELD, NH PLANNING BOARD**

**Authority**

These rules of procedure are adopted under the authority of New Hampshire RSA 676:1 and approved by vote of the Planning Board on May 23, 2016.

**General Procedures**

1. Any individual wishing to meet with the Board must notify either the Board Chair, the Secretary or Greenfield's Town Administrator no later than 4:00 pm on the Thursday immediately preceding the meeting. With the intention of avoiding excessively long meetings, the Board may limit the number of individuals meeting with the Board on any particular meeting.
2. If contact must be made with outside agencies, including the Southwest Region Planning Commission and the Board's counsel, it will be the responsibility of the Chair to designate the Board member that is to make the contact.

**Officers**

1. A Chair shall be elected annually by a majority vote of the Board at the first regularly scheduled meeting following the March Town Meeting. The Chair 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.
2. A Vice-Chair shall be elected annually by a majority vote of the Board at the first regularly scheduled meeting following the March Town Meeting. 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 during the absence of the Chair.
3. A Secretary shall be elected annually by a majority vote of the Board at the first regularly scheduled meeting following the March Town Meeting. The Secretary or designee shall receive all applications to the Board, check them for accuracy and completeness, and if necessary, contact the applicant for any necessary information, documents, or other material needed to complete the application. The Secretary/designee shall notify the Chair of a completed application for further processing.
4. All elected officers shall serve for one year and shall be eligible for re-election. Any vacancy that occurs during course of the year will be filled by vote of the Board for the balance of the term.
5. A Clerk shall be hired by the town. The Clerk shall maintain a record of all meetings and perform such other duties as the Board may direct by resolution.

## **Alternates**

Up to three alternate members shall be appointed, as provided for by RSA 673:6, to serve whenever a regular member of the Board is unable to fulfill his/her responsibilities. Alternates shall participate in all discussions, including deliberations, but may vote on, make, or second motions only when they have been designated to replace an absent or disqualified member.

## **Meetings**

1. Regular meetings shall be held at the Town Office Building at 7:00 pm on the second and fourth Mondays of each month. Other meetings may be held on call of the Chair provided a public notice and notice to each member is given at least 24 hours prior to such meetings. The 24 hours notice requirement excludes Sundays and legal holidays.

2. A quorum for all meetings of the Board shall be four members, including alternates sitting in place of members.

If any regular Board member is absent from any meeting or hearing or disqualifies himself 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. If there are two or more alternate members of the Board, the Chair will assure that all alternate members are afforded an equal opportunity to share in Board decisions.

3. If any member finds it necessary to disqualify himself from sitting in a particular case, as provided in RSA 673:14, he shall notify the Chair as soon as possible so that an alternate may be requested to sit in his place. When there is uncertainty as to whether a member should be disqualified to act on a particular application, that member or another member of the Board may request the Board to vote on the question of disqualification. Any such request shall be made before the public hearing gets underway. The vote shall be advisory and non-binding and may not be requested by persons other than Board members.

## **4. Voting**

- a. The voting procedure on any motion will be at the discretion of the Chair. The Chair may exercise the rights and privileges as of any other member.
- b. Any regulatory action or planning amendment requires a minimum of 4 votes for approval. (Zoning, Regulatory, Master Planning or CIP)
- c. For any application, or action other than regulatory or planning, a majority vote of those present and voting is required for approval.
- d. A tie vote on any application constitutes a failure of the motion.
- e. Any member can choose whether to abstain or not for each motion.

5. The order of business for regular meetings shall be as follows:
  - a. Attendance will be taken by the clerk
  - b. Minutes of the previous meeting
  - c. Communications and miscellaneous
  - d. Public hearings and meetings with the public
  - e. Other business
  - f. Adjournment

Public hearings and meetings with the public will not begin before 7:30pm. This can be waived by the Board Chair but only in situations involving considerable hardship.

6. To the extent possible, the Board will schedule meetings or hearings with the public on the 1<sup>st</sup> meeting of the month with other Board business on the 2<sup>nd</sup> meeting of the month.

### **Procedures for Processing Subdivision Applications**

1. Completed applications will be heard in the order that they are received.
2.
  - a. Applications will first be reviewed for completeness and regional impact. Completeness will be determined by the guidelines set forth in Section IV of the Greenfield Subdivision Regulations in effect at the time the application is received. Potential regional impact will be determined by criteria in Appendix C of the Subdivision Regulations. This review will be conducted by the Secretary/designee. If the application is not complete, the Secretary/designee will notify the applicant of the deficiencies.
  - b. Once the application is deemed complete, the Board will schedule a public hearing in accordance with RSA 676:4, I (c) (1). If the application is deemed to have possible regional impact, the Board will follow requirements and procedures for review of developments of regional impact as per RSA 36:54-57. Prior to the public hearing, the applicant may present a brief outline of the proposal and answer questions from the Board regarding the submission requirements of the application. The Board will then vote to accept or reject the application. If the application is rejected, the applicant will receive written notification as to the deficiencies that cause the rejection. If accepted, the Board will open the public hearing and gather any necessary information (oral or written) concerning the application from the applicant and the public. Once this information has been gathered, the public portion of the hearing will be closed.
  - c. The Board will then move into its deliberative session to discuss the merits of the application.
  - d. Finally, the Board will vote to approve, conditionally approve, or disapprove the application per the guidelines set forth in RSA 676:4.
3. The Board reserves the right to limit the number of public hearings to be held at any one meeting. Long meetings that might discourage attendance by the public must be avoided.

4. While processing an application and for any contacts required after a decision is reached on the application, the Board will only recognize the applicant as a spokesperson for the application unless notified otherwise, in writing, by the applicant. There is, however, one exception to this rule. On a subdivision application, if the owner who is also the applicant signs the plat, the Board will accept as the spokesperson, the engineer and/or land surveyor who is licensed by the State of New Hampshire and whose name and seal appears on the plat.

### **Procedures for Processing Site Plan Review Applications**

1. The Applicant may, at his/her option, meet with the Planning Board for a pre-application consultation. At that meeting, the Board shall determine if a Site Plan Review is necessary, as described in Section III-Scope of Review in the Greenfield Site Plan Review Regulations.
2. If an application is deemed necessary, the applicant shall submit a completed application to the Planning Board Chair, Secretary or Greenfield's Town Administrator at least 20 days prior to a regularly scheduled meeting of the Planning Board.
3. Completed applications will be heard in the order that they are received. The application will be reviewed for completeness by the Secretary/designee, as set forth in Section V Procedure, A, 2 of the Site Plan Review Regulations and by reference to the Site Plan Review Checklist, Sections I and II. The Secretary/designee shall also review the application for potential regional impact. Potential regional impact will be determined by criteria in Appendix A of the Site Plan Review Regulations. Once the application has been duly accepted by the Planning Board, the Board must act to approve, conditionally approve or disapprove the application within 65 days, (Section V Procedure, A, 5 of the Site Plan Review Regulations), subject to extension or waiver as per RSA 676:4, I (f).
4. A public hearing will be scheduled for complete applications. Public notice will take place as prescribed by Section V. A, 3 of the Site Plan Review Regulations. If the application is deemed to have possible regional impact, the Board will follow requirements and procedures for review of developments of regional impact as per RSA 36:54-57. Prior to the public hearing, the applicant may present a brief outline of the proposal and answer questions from the Board regarding the submission requirements of the application. The Board will then vote to accept or reject the application. If the application is rejected, the applicant will receive written notification as to the deficiencies that cause the rejection. If accepted, the Board will open the public hearing and gather any necessary information (oral or written) concerning the application from the applicant and the public. For purposes of clarity in the Minutes, those in favor shall speak in behalf of the application, followed by those who oppose the application. Written opinions shall be noted by the Chair. Once this information has been gathered, the public portion of the hearing will be closed. The Board will then move into its deliberative session to discuss the merits of the application. Finally, the Board will vote to approve, conditionally approve or disapprove the application per the guidelines set forth in Section V, Procedure, A-D of the Site Plan Review Regulations.
5. While processing an application and for any contacts required after a decision is reached on the application, the Board will only recognize the applicant as a spokesperson for the application unless notified otherwise, in writing, by the applicant.

## **Procedures for Processing Excavation Applications**

1. Any owner or owner's designee subject to the requirements of RSA 155-E shall submit an application consistent with the requirements established in RSA 155-E:2 and Section IV of the Town of Greenfield Excavation Regulation. No excavation permits shall be issued that are prohibited in RSA 155E:4 or Section VII of the Town of Greenfield Excavation regulation.
2. Completed applications will be heard in the order that they are received.
3.
  - a. Applications will first be reviewed for completeness. Completeness of applications will be determined by the guidelines set forth in RSA 155-E, RSA 155-E:4-a, and RSA 155-E:5 of the Greenfield Excavation Regulations in effect at the time the application is received. This review will be conducted by the Secretary/designee. If the application is not complete, the Secretary/designee will notify the applicant of the deficiencies.
  - b. Once the application is deemed complete, the Board will schedule a public hearing in accordance with RSA 676:4 I (c)(1). Prior to the public hearing, the applicant may present a brief outline of the proposal and answer questions from the Board regarding the submission requirements of the application. The Board will then vote to accept or reject the application. If the application is rejected, the applicant will receive written notification as to the deficiencies that cause the rejection. If accepted, the Board will open the public hearing and gather any necessary information (oral or written) concerning the application from the applicant and the public. Once this information has been gathered, the public portion of the hearing will be closed.
  - c. The Board will then move into its deliberative session to discuss the merits of the application.
  - d. Finally, the Board will vote to approve, conditionally approve, or disapprove the application per the guidelines set forth in RSA 676:4.
4. The Board reserves the right to limit the number of public hearings to be held at any one meeting. Long meetings that might discourage attendance by the public must be avoided.
5. While processing an application and for any contacts required after a decision is reached on the application, the Board will only recognize the applicant as a spokesperson for the application unless notified otherwise, in writing, by the applicant.

## **Procedures for Public Hearings**

### **A. Subdivision, Site Plan Review, Excavation Applications**

1. The Chair will call the meeting to order and direct the secretary to record the members present. The Chair will inquire if any members should be disqualified. If necessary, alternate members will be designated in accordance with RSA 673:11.
2. The Chair will announce the purpose of the hearing and will review the following Rules of Order for the hearing with the public and members of the Board:

- a. All individuals present are asked to be respectful of other opinions and comments.
  - b. All individuals are asked to wait until the Chair recognizes their request to speak.
  - c. The Chair will attempt to recognize all who wish to speak on an issue first before others have a second opportunity.
  - d. Anyone speaking from the floor must identify him/herself for the record.
  - e. All questions by any party must be directed to the Chair.
3. The Clerk will report on notification procedure. The Clerk will ask applicant(s) and members of the public to sign their names to an attendance list, noting if they are an abutter. This list is to be placed in the application folder.
  4. The applicant will present details of the proposal.
  5. The Board will review the proposal, discuss technical details, and may ask questions of the applicant.
  6. Other questions and comments are taken in the following order:
    - a. Those in favor of the proposal.
    - b. Those opposed to the proposal.
    - c. Anyone else who wishes to speak.
    - d. Any written comments are read into the record.
  7. The Chair summarizes the comments and provides an opportunity for the applicant to clarify any issues.
  8. When the Board determines that it has sufficient information relating to the application, the public portion of the hearing will be closed. Board members are free to begin deliberations. If a decision on the application will not be made at this meeting, the Chair will publicly announce that the Board will deliberate on the application at each of the following regularly scheduled meetings until a decision is made.
  9. The Chair will read the following at the beginning of each deliberation session:

“The Board at this time is entering into a deliberative session. The Board will not entertain or take any additional information from the applicant, his representatives or the public during this session. The Board reserves the right to request additional information at its discretion.”

## **B. Other Hearings**

1. The Chair will call the hearing to order and direct the secretary to record the members present.
2. The Chair will announce the purpose of the hearing. The Chair will review the following Rules of Order for the hearing with the public and members of the Board.

- a. All individuals present are asked to be respectful of other opinions and comments.
  - b. All individuals are asked to wait until the Chair recognizes their request to speak.
  - c. The Chair will attempt to recognize all who wish to speak on an issue first before others have a second opportunity.
  - d. Anyone speaking from the floor must identify him/herself for the record.
  - e. All questions by any party must be directed to the Chair.
3. The Clerk will report on the notification procedure. The Clerk will ask members of the public to sign their names to an attendance list. This list is to be placed in the hearing folder.
  4. The Chair will explain to the public the issue being discussed and will seek public input.
  5. The Chair will determine when the public has had the input they wish. At this point, the public hearing portion of the meeting will be closed. The Board will then continue with its regular meeting during which the public is welcome to attend, as in any meeting of the Board.

### **Site Walks**

1. A Site Walk is a visit by the Board, or by one or more members of the Board, together with the applicant or the applicant's agent, to a location which is the subject of an application before the Board.
2. When the Board schedules a Site Walk for the Board membership, it shall be posted as a meeting of the Board in accordance with RSA 91-A.
3. When the Board deems it necessary for the adequate consideration of an application, the Board shall request the applicant's permission to make a Site Walk. If such a request is not granted, the application may be denied by majority vote of the Board without further hearings.

### **Inter-office Procedures**

1. When any new lot is created, before a map and lot number is assigned, the surveyor should check with the Greenfield Assessing Department to be provided with a correct map and lot number.
2. When the Planning Board makes any decision, they will provide the Assessing Department written notice of the decision; referencing map and lot for property files.
3. Copies of all minutes must be provided to the Select Board Office (Electronically is preferred) per RSA 91A: 2 – this must be done within 5 business days after the close of the meeting. A copy of amended minutes shall subsequently be provided to the Select Board Office.
4. A list of Planning Board cases should be maintained and copied to the Select Board Office. The listing should reference Date, Case number, Name, reason for the application and the decision. Planning Board files should be numbered according to Case number.

5. Proposed Zoning Amendments must be provided to the Town Clerk, as it is to be written on the ballot, in a timely fashion to allow for Town Report accuracy.
6. The Board will update ordinances and regulations as needed after Town Meeting and/or public hearing vote. These updated copies will be provided to Town Office staff.
7. A duly authorized employee of the Town must deliver approved documents to the Registry of Deeds.

## **Records**

1. The records of the Board shall be kept by the Chair and Clerk and made available for public inspection in the Planning Board filing cabinets located on the 2<sup>nd</sup> floor of the Town Office building as required by RSA 91-A:4.
2. Minutes of the meetings shall be open to public inspection within 5 business days after the meeting as required in RSA 91-A:2, II. Clean copies of preliminary and amended minutes, in addition to the Chair's handwritten amendments, shall be filed in the Planning Board records cabinets.
3. Notice of decision on a proposal will be made available for public inspection within 5 business days after the decision is made, as required in RSA 676:3. If the application is disapproved, the Board shall provide the applicant with written reason for this disapproval.