

# **TOWN OF ALTON PLANNING BOARD**

## **BY-LAWS & RULES OF ORDER**

### **AUTHORITY**

These By-Laws & Rules of Order are adopted under the authority of NH RSA 676:1, as amended, and the Community Planning Enabling Act of the Town of Alton.

### **MEETINGS**

1. Regular meetings of the Alton Planning Board shall be on the third Tuesday of each month beginning in January, 2005. Other meetings may be held at the call of the Chairperson or by petition of two-thirds of the regular members. Notice of such other meetings must be given to each member and alternate and posted at least forty-eight hours prior to the time of such meeting.
2. A quorum for all meetings shall consist of four (4) regular and/or alternate members.
3. Attendance at all meetings is required as a duty of the Planning Board member. Absence from any meeting must be excused at least twenty-four hours prior to the meeting, by telephone to the Planning Office or the Chairperson. Three (3) absences without notification prior to the meeting may result in removal from the Board due to the negligence of duty process outlined in NH RSA 673:13, as amended.
4. Members shall arrive at meetings on time and prepared by having read through all meeting materials prior to the start of the meeting.
5. Members wishing to speak shall address the Chairperson. All discussion shall only be directly related to the case currently before the Board. Disagreements or conflicts shall never be directed at an individual whether a member, staff, or the public.
6. Members shall respectfully listen, with an open mind, to others when they are speaking.
7. The Agenda for regular meeting shall include at least, but shall not be limited to, the following items:
  - a) Call to Order
  - b) Assignment of Alternates (if necessary)
  - c) Approval of Agenda
  - d) Minutes of previous meetings
  - e) Correspondence

- f) Public Input on Non-Case Specific Local Planning Issues
  - g) Old Business
  - h) New Business
  - i) Other Business
8. In the absences of other rules, the Board shall use the most recent version of Robert's Rules of Order revised for the process of all business before the Board.
9. Deliberations
- a) All deliberations shall take place in a duly posted public meeting, except for such times when a majority of Board members vote to confer with the Town Attorney.
  - b) There shall be no public participation allowed during the Planning Board's deliberations. However, upon a majority vote of the Board, the deliberations may be recessed and the public hearing re-opened.
  - c) The Board may vote to declare a finding of fact on any subject matter which is cause for dispute.
  - d) The Board shall deny an application or plan which had previously been accepted when it is found to be incomplete or deficient based on testimony presented during the public hearing.
10. All meetings shall be posted to end at 10:30 p.m. with no new cases or hearing starting after 10:00 p.m. unless by a majority vote of the members present. Any items remaining as unfinished business on the agenda will be given priority on the agenda of the next meeting.
11. The Board recommends Conceptual Consultations shall be allowed 15 minutes of discussion, and Continuances shall be allowed 30 minutes of public hearing unless additional time is allotted via majority vote of the members present.

## **MEMBERSHIP**

1. Membership of the Alton Planning Board shall be as outlined in NH RSA 673:2, as amended.
2. There shall be seven (7) regular members of the Board, who shall be residents of the Town of Alton. Six (6) shall be elected by the voters at the annual Town Meeting, two (2) each year, to serve for a term of three (3) years.
3. One (1) member shall be an ex-officio member, selected by the Board of Selectmen who shall have all the rights and privileges of a regular member, except that they shall not be able to serve as Chairperson of the Planning Board.
4. As provided for in NH RSA 673:7, as amended, any appointed or elected member of the Board may also serve on any other board or commission, provided that such

multiple membership does not result in more than one (1) member of the Planning Board serving on the same board or commission.

5. All vacancies shall be filled as outlined in NHRSA 673:12, as amended, except that when filling a vacancy in a regular member position the Board shall appoint a replacement from those members serving as alternates.

## **OFFICERS**

1. **A Chairperson** shall be elected annually at the first regular meeting following the annual Town Meeting held in March by a majority vote of the Board. The Chairperson 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-Chairperson** shall be elected annually at the first regular meeting following the annual Town Meeting held in March by a majority vote of the Board. Said Vice-Chairperson shall preside in the absence of the Chairperson and shall have the full power of the Chairperson on all matters which may come before the Board during any absence of the Chairperson.
3. **A Clerk** shall be elected annually at the first regular meeting following the annual Town Meeting held in March by a majority vote of the Board. The Clerk shall act as the clerk of the Board and shall certify all actions of the Board for all permanent records which may be kept on file in the Town Planning Office. The Clerk shall affix his/her signature in the name of the Board when directed by the Board.
4. Each officer shall be elected individually by the regular members present. As provided for in NH RSA 673:9, as amended, and by vote of the citizens at Town Meeting on March, 1979, "the term of every officer and chairperson elected by the Board shall be one (1) year". All officers shall be eligible for re-election.
5. Should any officer be removed or resign, the Board shall elect a replacement, within a reasonable amount of time, to serve until the next regular election.

## **ALTERNATES**

1. As set forth in NH RSA 673:6, as amended, the Board shall have five (5) alternate members who shall be appointed for three (3) year terms. Appointments shall be staggered so that one-third shall be appointed each year and such appointments shall occur annually by the Board at the first regular meeting following the Town Meeting held in March by a majority vote of the Board, or at other times if vacancies should occur, or if all positions are not filled at the first meeting following Town Meeting.

2. Prior to any citizen being appointed as an alternate member, that person may be required to file a letter stating their interest in being appointed as an alternate member of the Board, and may be required to attend three (3) consecutive Board meetings.
3. The Board may enter into a non-public session for discussion purposes prior to any vote to appoint an alternate member.
4. Upon the removal, resignation, or any other vacancy of an alternate member position, the Board shall appoint a replacement within a reasonable amount of time to fill the unexpired term.
5. The Chairperson shall appoint any alternate member to fill in for any regular member who is absent at any meeting, except that the Selectmen shall appoint an alternate representative to fill in when the Selectmen's representative is absent.
6. Upon such appointment to fill in for an absent regular member, said alternate shall assume all the rights and privileges of a regular member for that meeting.
7. Alternates are encouraged to attend all meetings and workshops of the Board. They are also encouraged to participate in all discussions and public hearings, but will not be allowed to vote or participate in any non-public sessions or deliberations on applications which may be before the Board after the public hearing portion of the application has been closed.

### **CONFLICT OF INTEREST**

1. Any member who has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law, on any item which may come before the Board, must notify the Chairperson of such interest and step down from any discussion of said item.
2. Prior to any public hearing, members of the Board and only members of the Board, may request a non-binding and advisory vote concerning the disqualification of any member, as outlined in RSA 673:14:II, as amended.
3. If a member disqualifies him or herself, or cannot act in a particular case, they shall so notify the Chairperson and shall remove themselves from the Board. The Chairperson shall designate an alternate, if available, according to RSA 673:11, as amended, to act on behalf of any disqualified member.
4. Members shall endeavor to protect their unbiased status to participate in any case before the Board by refraining from discussion of any case outside of any public hearings with any prospective applicant or member of the public other than staff, while a case may be pending before the Board.

5. If any discussion pertaining to any case pending before the Board takes place, the member should inform the Chairperson at the beginning of the public hearing and prior to any vote being taken. A member may step down anytime.
6. No member of the Board shall participate in any information gathering, interviews or site visits on any case without the express permission of the Board or in conjunction with the Planning Staff.
7. All members are encouraged to meet with staff on any case at any time, and any information gained during these meetings will not constitute a cause for conflict of interest.

**REMOVAL OF MEMBERS**

1. Any regular member or alternate may be removed from the Board under the procedure stated under NH RSA 673:13, I, II, III, and IV, as amended.
2. Any member who is absent three (3) consecutive meetings without notice shall be found in “neglect of duty” and may be removed under Section 1 above.


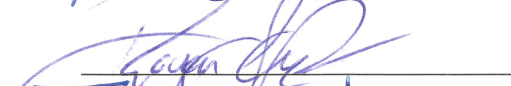
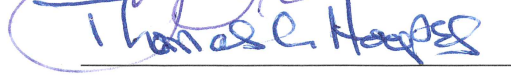
**ADOPTION OF AMENDMENTS**

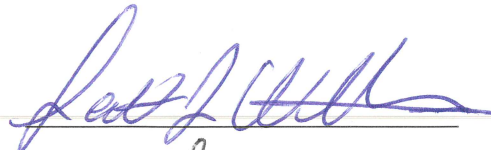

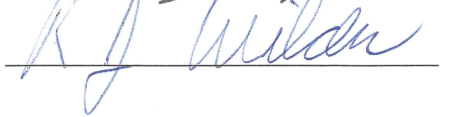
1. These By-Laws & Rules of Order may be amended by a majority vote of the members present and voting at such meeting, provided that such amendment has been read at two (2) successive meetings prior to the vote.
2. Adoption and or amendment of these By-Laws & Rules of Order shall take effect immediately following a successful vote.

**EFFECTIVE DATE, SIGNATURE PAGE & FILING**

These By-Laws & Rules of Order and any amendments thereto, shall take effect upon their adoption. Upon adoption, these By-Laws & Rules of Order shall be signed by a majority of the members of the Planning Board and filed with the Alton Town Clerk.

DATE: December 15, 2020

  
  
  
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**RSAs OF NOTE/QUICK REFERENCE**

Board's Procedures on Plats	NH RSA 676:4
Issuance of Decisions	NH RSA 676:3
Minutes and Records Available for Public Inspection	NH RSA 91-A:4
Method of Enactment by Petition	NH RSA 675:4
Nonpublic Session	NH RSA 91-A:3
Meetings Opened to the Public	NH RSA 91-A:2I(c)