



## Planning Board Rules of Procedure

*Adopted (8/17/05)*

---

---

### **Order of Business**

Regular meetings shall be conducted in the following order:

- a. Call to Order (Chair)
- b. Roll Call (Individual Members)
- c. Approval of Agenda (including review of requests for continuance)
- d. Outstanding Minutes (Review/Approval)
- e. Ongoing Business
- f. New Business
- g. Miscellaneous:
  - i. Report of Officers/Committees;
  - ii. Member Comments;
  - iii. Staff Notes/Correspondence;
- h. Adjournment

#### **NOTES:**

1. The Board reserves the right to modify the order of agenda items as appropriate under item (c). For example, it may work more efficiently for the Board to consider brief agenda items at the outset, and to place longer agenda items following.
2. Special meetings of the Board shall include at minimum items a, b, c, and h listed above for regular meetings. Special meeting agenda items shall be determined and noted in advance of the meeting.

# Procedures for a Public Hearing

The rules of procedure adopted by the planning board under **RSA 676:1** should provide the basic ground rules for holding a public hearing. Recommended procedure is outlined below.

- STEP 1. The chairman opens the public hearing and explains what procedures will be followed. *If the public hearing involves the review/approval of an application, the Planning Board should formally vote to accept/deny an application as complete before opening the public hearing.*
- STEP 2. The chairman explains that the reason for holding the hearing is to gain input from any persons potentially affected by the proposal.
- STEP 3. The applicant presents the proposal.
- STEP 4. Town Staff presents report and findings.
- STEP 5: The board members may ask questions of the applicant.
- STEP 6. Other questions and comments are taken in the following order:
  - Abutters in favor of the proposal.
  - Abutters opposed to the proposal.
  - Anyone else who wishes to speak, if time permits.
  - Any written comments are read into the record. Anyone speaking from the floor must identify her/ himself for the record. All questions must be directed through the chairman to avoid cross-questioning between abutters and the applicant.
- STEP 7. The chairman summarizes the comments and provides an opportunity for the applicant to clarify any issues.
- STEP 8. The chairman closes the public hearing.
- STEP 9. The chairman announces the procedures the board will follow in making a decision. The minutes of the public hearing will help the board in its deliberations and also will form an important part of the record if the decision is challenged.
- STEP 10: After the public hearing, a board member may offer one of the following motions:
  - Motion to approve the application;
  - Motion to approve the application, with conditions;
  - Motion to disapprove the application;
  - Motion to defer a decision on the application until a later date; or
  - Other motion, as appropriate.

## **Public Hearings & Meetings**

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

1. The Chairman shall call the hearing in session and shall read the application and report on the manner in which public and personal notice was given, identify the applicant or agent and ask for the Town Planner's report on the proposal.
2. Members of the Board may ask questions at any point during the presentation.
3. Any party to the matter who desires to ask a question of another party must go through the Chairman.
4. Any applicant, agent, abutter or person with a direct interest in the matter may testify in person or in writing. Other persons may testify as permitted by the Board at each hearing.
5. To allow for the orderly function of the board, the Chair may move that a time limit be set on individual speakers or when all debate shall end. Any motion to limit debate shall require a majority vote of the board. The board shall use the goal of ensuring that all who wish to be heard on an application are able to speak before the board as their guide in determining to limit any debate.
6. Each person who speaks shall be required to state her/his name and address and indicate whether s/he is a party to the matter or an agent or counsel to a party to the matter.
7. The applicant or agent shall be called to present the proposal. The Chair shall recognize alternately those in favor and opposed to the application to speak. At the Chair's discretion, prior to a person speaking for a second time, all individuals who may wish to speak for a first time shall be recognized.
8. Other parties such as representatives of town departments and other town boards and commissions who have an interest in the proposal shall be allowed to present their comments in person or in writing anytime during the Board's consideration of any application.
9. When it has been determined that all individuals have spoken, the applicant or their agent may be asked to give a closing statement.
10. When it has been determined that all individuals who may wish to speak or provide testimony have spoken, the Chair shall indicate whether the hearing is closed or adjourned pending the submission of additional material or information or the correction of noted deficiencies. In the case of an adjournment, additional notice is not required if the date, time and place of the continuation is made known at the adjournment. If a hearing is closed the Board may move to final deliberations or continue the application to a future date for action without further public input or comment.
11. As needed, "Compliance Public Hearings" may be required pursuant RSA 676:4(I)(i) in relation to "conditional approvals".