

**Town of Walpole  
Planning Board  
Internal Rules of Procedure  
Revised and Adopted: November 12, 2019**

**AUTHORITY:** These Rules of Procedure are adopted under the authority of New Hampshire State Revised Statutes Annotated 676:1.

**I. Members & Alternates**

- A. The Walpole Planning Board (“the Board”) shall consist of seven members, six elected at Town Meeting and the seventh a Select Board’s representative, who shall be a member of the Board of Selectmen chosen by the Select Board.
- B. Except for the Select Board’s representative, a member shall be elected for three-year terms, two members being elected each year. Terms of office shall commence at the first regular Planning Board meeting after the annual Town Meeting.
- C. At its first regular meeting following the annual Town Meeting, the Board shall elect from among its members (other than the Select Board’s representative) a Chairperson, a Vice-Chairperson, and a Clerk. All Officers shall serve for one year and shall be eligible for re-election.
- D. The Board may appoint up to five alternate members for a term of three years, each which shall be staggered by appointing one alternate per year at the second meeting following the annual Town Meeting.
- E. Vacancies in the Board (other than the Select Board’s representative) shall be filled by appointment by a majority of the remaining Board members until the next Town Meeting.

**II. Duties of Officers, Recording Secretary, Regular Members, Alternate Members, Quorum**

- A. The Chairperson shall preside over all meetings and hearings and shall be responsible for the conduct and decorum of the meeting, ensuring that all parties receive a full and fair hearing before the Board, as set forth by these rules of procedure. The Chairperson shall appoint such subcommittees as directed by the Board and appoint alternates to serve in place of absent or disqualified regular members.
- B. Whenever the Chairperson is absent or disqualified to act in a particular case, the duties of the Chairperson shall be performed by the Vice-Chairperson. If the Vice-Chairperson is also absent or disqualified, the Clerk shall perform the duties of Chairperson. If all three are absent or disqualified, the duties of Chairperson shall be performed by another member designated by the Board. The Vice-Chairperson, Clerk, or designee shall have the powers of the Chairperson on matters that come before the Board.
- C. The Recording Secretary shall take and place on file minutes of all meetings and hearings in accordance with RSA 91-A; be responsible for all notices, whether by certified letter, newspaper advertisement or posting; maintain the Board’s records, including plats, application materials, regulations, decisions; and be responsible for the collections of fees.

The Recording Secretary shall designate a location for applicants to leave materials for Board consideration.

The Recording Secretary, in consult with the Chairperson, shall be responsible for placing any and all items on the printed and posted monthly agenda, in the form set forth by these internal rules. The Recording Secretary shall be responsible for a Recording Secretary's report on each application brought to the Board for consideration, whether it meets time requirements for posting and notification, and if necessary fees are included, prior to the acceptance, scheduling, and holding a Public Hearing.

- D. The Recording Secretary is responsible for performing other such duties as the Board may direct, such as word processing, attending conferences, serving on sub-committees, preparing budgetary reports, and recording work sessions or other special committee meetings as required by RSA 673.17 and 91-A.
- E. Regular Members shall perform their duties according to RSA 674.1. Regular members shall notify the Chairperson prior to a meeting if they are unable to attend or may be disqualified.
- F. Alternate members shall be designated by the Chairperson, except the Select Board Representative, to take the place of an absent or disqualified regular member and shall be in all respects a full member while so designated. Alternate members are responsible for the same duties as regular members, may be appointed to subcommittees, attend conferences and offer comment during meetings. They shall not vote unless designated.
- G. Quorum – a quorum for all meetings of the Board shall be a minimum of four members including designated alternates. In addition to fulfilling the quorum requirement, the Chairman shall designate alternates for any additional absent regular members. Further, members disqualified in accordance with Paragraph III B below may be counted as "present" if necessary to provide a quorum.

### **III. Standards of Conduct**

- A. The primary obligation of the Planning Board is to serve the public interest, and members should conduct themselves so as to maintain public confidence in the Planning Board and the conduct of its business.
- B. To avoid conflict of interest or the appearance of an impropriety, a member having a personal interest, financial or otherwise, in any application before the Board shall disqualify themselves from participating in the consideration or decision on that application. "Personal interest" shall include, without limitation, being a relative of an applicant or being the owner or lessee of property abutting the property that is the subject of an application. Refer to RSA 673:14. Any member who finds it necessary to disqualify themselves from sitting on a particular application shall notify the Chairperson as soon as possible so an alternate may be designated. Any disqualification shall be announced by the Chairperson prior to Board deliberation or public hearing on the application.
- C. When uncertainty arises as to the application of paragraph B to a Board member in particular circumstances, the Board shall, upon the request of that member or another

member of the Board, 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.

#### IV. Meetings

- A. Regular meetings of the Board shall be held at 7 pm on the second Tuesday of each month at the Walpole Town Hall. Work Sessions shall be held at 7 pm on the fourth Tuesday of each month as needed. The Board may vote to omit not more than one meeting in any calendar month or change the time and place of a particular meeting. Special meetings of the Board shall be held at the call of the Chairperson, or by a majority of the members.
- B. Order of Business Agenda – The order of business and agenda format for regular meetings shall be as follows:
1. Roll Call/Designate Alternates.
  2. Review Minutes of Previous Meeting.
  3. Review Applications Submitted/Recording Secretary's Report.
  4. Action on Applications Submitted: Accept/Schedule Public Hearing, Reject, Continue.
  5. Close Regular Meeting/Open Public Hearing.
  6. Hold Public Hearing.
  7. Close Public Hearing/Re-open Regular Meeting.
  8. Action on Applications for Public Hearing include: Approve, Disapprove, Continue, Schedule Site Visit and/or Compliance Hearing
  9. Unfinished Business or Pending Applications.
  10. New Business: Preliminary Conceptual Consultation or Design Review Phase.
  11. Adjournment.
- C. Public Hearings – The conduct of public hearings shall be governed by the following rules at the discretion of the Chairperson:
1. The Chairperson shall call the hearing in session and ask for the Recording Secretary's report on the application.
  2. The Planning Board shall determine whether the application is complete.
  3. The applicant or his/her designated representative, shall describe the purpose of the application and review the information provided on plats provided as part of the application.
  4. Members of the Board may ask questions at any point during testimony.
  5. Abutters will be called upon to ask questions or make comments on the application.
  6. Each person who appears shall be required to state his/her name and address and indicate whether he/she is a party to the applicant or an agent or counsel of a part to the applicant.
  7. Any party to the application who wants to ask a question of another party to the application must go through the Chairperson.
  8. Next, those appearing in favor of the application shall be called on to speak.
  9. Then, those in opposition to the application shall be called upon to speak.

10. The applicant and those in favor shall be allowed to speak a second time.
11. Those in opposition shall be allowed to speak a second time.
12. The Board will hear with interest any evidence that pertains to the facts of the application or how the facts relate to the provisions of the Town Zoning Ordinances, Master Plan, or State Zoning and Planning Statutes, or affect abutting landowners.
13. The hearing on the application shall be declared closed and next hearing opened.

D. Joint Meeting and Hearings – The Planning Board may hold joint meetings and hearing with other “Land Use Boards” such as the Zoning Board of Adjustment. Each Board shall have discretion whether or not to hold a joint meeting or hearing. Refer to RSA 676:2. Joint business meetings with another local land use board may be held at any time when called jointly by the Chairperson of the two Boards. A joint public hearing must be a formal public hearing when the subject matter of the hearing is within the responsibilities of the Boards convened. The Planning Board Chairperson shall preside over all joint meetings and public hearings when the subject matter involves the Planning Board. The rules of procedure for joint meetings and hearings shall be the same as these bylaws except that the order of business shall be as follows.

1. Call to order by Planning Board Chairperson.
2. Introduction of members of both boards by the Chairperson, Planning Board first.
3. Explanation by Planning Board Chairperson of reason for joint meeting or hearing.
4. In the case of a public hearing, the applicant shall be called to present their proposal, making clear what is being requested/reviewed by each board.
5. The conduct of public hearings shall be followed as set forth in these same rules of procedure as presented in Section V. C. together with such additional provisions as may be required by the other Board and the other Board shall concur in these conditions.
6. Special Exception or Variance requests shall be presented first.
7. Each Board shall deliberate on its own after the hearing is closed or on a date specified before the meeting is adjourned and vote on its own decision based on its particular criteria for the issue.

E. Site Visits – 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 Visit to the location of the subject of the application before the Board. A Site Visit shall be attended by one or more members of the Board, the applicant or applicant’s agent, and posted as a meeting in accordance with RSA 91:A. If such a request is not granted, the application may be denied by majority vote of the Board without further hearings.

F. Compliance Hearings – When the Board grants a conditional approval of an application, the approval becomes final without further public hearing, upon certification to the Board by its designee or based upon evidence submitted by the applicant of satisfactory compliance with the conditions imposed. Final approval of a plat or application may occur in the foregoing manner only when the conditions are:

1. Conditions or minor plan changes, whether or not imposed by the Board, as a result of a public hearing that are administrative and do not involve discretionary judgment on the part of the Board.
2. Conditions regarding possession of permits and approvals granted by other boards or agencies.

All other conditions shall require a compliance hearing and notice given as required below under Public Notice, except that additional notice shall not be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session were made known at the prior hearing. Refer to RSA 676:4

## **V. Notices**

- A. Meetings Public Notice – All regular meetings, work sessions, subcommittee or special meetings, or the cancellation of any regular meetings or any change in the time or place shall be posted in not less than two public places within the Town of Walpole, including the Walpole Town Hall and Post office, at least 24 hours prior to the meeting, excluding Sundays and legal holidays.
  2. Application Public Notice – Applications to be placed on the agenda or for which Public Hearing are to be held shall be posted at two locations in the Town of Walpole, including the Walpole Town Hall and Post Office 10 days prior to the date fixed for the meeting or hearing. Notice shall include the name of the applicant, location of the property, a general description of the proposal, zone designation, and date, time, and place of the hearing or meeting.
  3. Other Notices – All other required notices in regard to processing applications for Site Plan Review or Subdivision shall be made in accordance with RSA 676:4 “Board’s Procedure on Plats” and are specifically outline within the Site Plan and Subdivision Regulations. Notice for amending the Master Plan, Walpole Zoning Ordinances, or site plan review and Subdivision Regulations shall be carried out according to RSA 675:6

## **VI. Records**

- A. The records of the Board shall be kept by the Recording Secretary and made available for public inspection in the Board’s Office in the Walpole Town Hall, in accordance with RSA 673:17 and 91-A.
- B. Minutes of all regular meetings, works sessions, sub-committee meetings and site visits including name of Board members, persons appearing before the Board, a brief description of the subject matter discussed, and all votes taken shall be open to public inspection within 144 hours of the public meeting in accordance with RSA 91-A.
- C. Application materials, fee schedules, and regulations shall be maintained by the Recording Secretary and made available to the public in a designated location within the Walpole Town Hall or by other arrangements. All forms and revisions shall be adopted by a majority vote of the Board and shall become part of these Internal Rules of Procedure.

- D. Minutes: According to RSA 91A:4 Raw materials: Tapes and notes used to compile meeting minutes are governmental records as long as they are retained; the policy of the Planning Board is to discard tapes and notes once the minutes are approved.

## **VII. Fees**

Fees to cover the costs of notification, filing, and administration shall be charged on Site Plan Review and Subdivision applications, and shall be paid by the applicant before acceptance is granted. Refer to RSA 676:4 I. (2) (d). The Recording Secretary shall provide a schedule of fees attached to the application materials. The Board will review the fee schedule annually and make necessary revisions.

## **VIII. Adoption and Amendments**

These Internal Rules of Procedure shall be adopted at a regular meeting of the Board and shall be placed on file with the Town Clerk for public inspection. Amendments to these Internal Rule of Procedure may be made by a majority vote of the members of the Board provided that such amendment is reviewed at two successive meetings immediately preceding the meeting at which the vote is to be taken. Any amendment must be filled with the Town Clerk. Refer to RSA 676:1.

# Walpole Planning Board

## Rules of Procedure

Revised November 2019

  
Chair

  
Vice-Chair