
Planning Board Bylaws

BYLAWS

ARTICLE I NAME

The name of the Board shall be "Town of Jackson, New Hampshire Planning Board" as adopted at the Town Meeting on March 9, 1971; and hereinafter referred to by its short title of Planning Board.

ARTICLE II PURPOSE

The purposes of the Planning Board shall be to plan for the orderly development, preservation, and conservation of the Town of Jackson, New Hampshire and to propose and administer such regulations as fall within its jurisdiction.

ARTICLE III MEMBERSHIP

A. The planning Board shall consist of seven (7) members (appointed by the Selectmen) and shall include one Selectman, to act as *ex officio* member with power to vote. In addition to the seven (7) regular members, five (5) alternate members will be appointed by the Selectmen (as authorized by Article 47, Town of Jackson, New Hampshire Warrant for Town Meeting March 8, 1977).

B. Selection, qualification, terms, removal and disqualification of members, filling of vacancies, and designation of alternate members shall conform with Chapter 673, Sections 2 through 14 inclusive, [numbering changed to conform] New Hampshire Revised Statutes Annotated, 1955, as amended (statutes hereinafter referred to as RSA). In accordance with 673:11, when a regular member is absent or disqualified, the chairperson shall designate based on seniority an alternate, if one is present, to reach the maximum number of permitted votes, seven (7). When an *ex officio* member is absent or disqualified, the alternate designated by the selectmen shall vote.

C. If any member is absent for three (3) consecutive regular meetings, or five (5) regular meetings in the course of a year, a letter will be sent by the Chairperson to the Selectmen for determination by them if any action under the provisions of RSA 673:13 should be taken.

ARTICLE IV ORGANIZATION

A. The Planning Board shall meet each year within the four (4) weeks after the annual Town Meeting for the purpose of electing one of its members as Chairperson; one of its

members as Vice-Chairperson; one of its members as Secretary; and, if necessary, one of its members as Treasurer. If requested by a majority of those present, voting shall be by ballot.

B. The terms of office for all officers is one year or until their successor is elected.

ARTICLE V OFFICERS

A. The Chairperson shall call the meetings to order, preside over the deliberations, and shall see that all proceedings are held in accordance with the Laws of the State of New Hampshire and any applicable ordinances and regulations of the Town of Jackson. The chairperson shall prepare, with the assistance of the Secretary, an annual report, appoint committees of resident citizens including one member of the Planning Board who shall act as Chairperson, and perform other duties customary to the office.

B. The Vice-Chairperson shall preside in the absence of the Chairperson.

C. The Secretary shall keep a full and accurate record of the proceedings of each meeting, in accordance with RSA 91-A:2. The Secretary shall have his/her book of record at hand at each meeting and shall record the names of members (regular and alternate) present and absent and those alternate members designated to sit for an absent regular member. The Secretary shall issue notices of all meetings (RSA 91-A:2) and notify all committees of their appointment. The Secretary shall notify applicants and abutters and the general public of all hearings for subdivision review (RSA 676:4) and lot line adjustment review. The Secretary shall prepare such correspondence and fulfill such duties as the Chairperson shall specify. In the absence of the Secretary, the Chairperson or Vice-Chairperson shall be responsible for the records of the meeting.

D. The Treasurer shall receive all funds of the Planning Board, issue receipts for the same; and see that such funds are properly recorded in the Town books. All disbursements of funds will be handled by the Town Treasurer through the Selectmen.

ARTICLE VI MEETINGS

A. Regular meetings shall be held monthly, on the second Thursday of each month, at 7:00 PM at the Kelly Town Offices building in accordance with RSA 91-A:2 and 673:10.

B. Special meetings may be called by the Chairperson, or in his/her absence by the Vice-Chairperson, at the request of three (3) members of the Planning Board. Such special meetings shall be held within seven (7) days of the request. Notice shall be given at least forty-eight (48) hours in advance of such meeting. The Chairperson, or in his/her absence the Vice-Chairperson, shall select the date, time, and place of the meeting. No business shall be acted upon at a special meeting unless four (4) members are present.

C. A regular meeting may be postponed by the Chairperson if requested by three (3) voting members and all members are so notified.

D. Four (4) voting members shall constitute a quorum for the transaction of business, but a lesser number may meet and adjourn.

E. The order of business at a regular meeting shall be as follows:

1. Call to order by the Chairperson.

2. Roll call of members by the Secretary.*
 3. Minutes of the previous meeting.
 4. Brief public identification of any issues that a member of the public wishes to discuss and that is not on the meeting's agenda.
 5. Public hearings on proposed amendments to zoning ordinance or subdivision regulations.
 6. Hearings on applications for subdivision review or lot line adjustment review.
 7. Readings of communications directed to the Planning Board.
 8. Reports of committees.
 9. Treasurer's report.
 10. Unfinished business.
 11. Other business.
 12. Adjournment.
- F. A motion, duly seconded, shall be carried by a majority of members present and voting in the affirmative. Votes of members present and voting shall be recorded.
- G. A member of the Planning Board shall disqualify himself/herself on any matter in which he/she has a pecuniary or other personal interest and shall not participate in the deliberations or voting of the Planning Board on such matter; but shall assume the status of a member of the general public.
- H. Any rules and regulations may be suspended at any meeting, until the next meeting, or for a shorter period of time, by a vote of two-thirds of the members present.

* The Secretary, at this time, shall also confirm and announce the existence of a quorum.

ARTICLE VII PUBLIC HEARINGS – SUBDIVISIONS

The format of public hearings on final plats of subdivisions shall be governed by the following rules:

- A. The Chairperson shall open the hearing and make a brief statement of the purpose of the hearing, the rules governing the hearing, and shall indicate that all members sitting are qualified to be present and vote on the material to be considered (if there is more than one hearing in an evening, each will be taken individually).
- B. The Secretary shall read the application requesting the hearing (if there is more than one hearing in an evening, each will be taken individually).
- C. The Secretary shall report the particulars concerning notifications for the hearing (to applicants, abutters and the general public).
- D. The applicant presents his/her proposal to the Planning Board.
- E. Those appearing in favor of the proposal shall be allowed to speak.
- F. Those in opposition to the proposal shall be allowed to speak.
- G. The applicant, then those in favor of the proposal, may present a rebuttal.
- H. Those in opposition to the proposal may present a rebuttal.
- I. The Chairperson shall give a summary, setting forth the facts of the proposal and the claims made for each side.

- J. Those disagreeing with only the summary may state where they disagree.
- K. The Chairperson declares the hearing on the proposal to be closed. (In the event of hearings on more than one proposal, the Chairperson shall decide if deliberation and voting may follow each proposal, or may be held collectively at the end of the hearings on several or all proposals.)
- L. General Rules:
 - 1. Everyone wishing to speak shall be allowed to do so one time before anyone is allowed to speak a second time.
 - 2. The Chairperson may limit the time of each individual's comments, e.g., to three or five minutes.
 - 3. All questions on the proposal shall be directed to the Chairperson.
 - 4. Members of the Planning Board may ask questions on any point during the testimony.
 - 5. Any member of the Planning Board, through the Chairperson, may request any party to the proposal to reappear.
 - 6. Each person who speaks shall be required to state his/her name and address and indicate whether he/she is a party to the proposal or an agent or counsel of any party to the proposal.
 - 7. Any party to the proposal who desires to ask a question of another party to the proposal must do so through the Chairperson.

ARTICLE VIII PUBLIC HEARINGS

Public hearings on all other issues shall generally follow the guidelines of those for subdivisions.

ARTICLE IX APPLICATIONS

- A. Applications for subdivision review or lot line adjustment review shall be made on forms provided by the Planning Board, and submitted with the completed checklist to the Secretary a minimum of fifteen (15) days prior to the Planning Board meeting at which they will be reviewed.
- B. Applications for subdivision review or lot line adjustment review shall be presented to the Planning Board in accordance with the provisions of RSA 676, Sections 2 through 4 inclusive; and in accordance with Subdivision Regulations adopted by the Planning Board.
- C. At each regularly scheduled public meeting of the Planning Board, the Secretary shall present to the Planning Board all applications for subdivision review and lot line adjustment review, submitted in accordance with Article IX, Sections A and B above.
- D. Applications for subdivision review and lot line adjustment review accepted by the Planning Board shall be considered in accordance with the provisions of RSA 676, Sections 2 through 4 inclusive; and in accordance with Subdivision Regulations adopted by the Planning Board. The applicant shall be provided a receipt by the Planning Board indicating the date of formal acceptance of an application for subdivision review or lot line adjustment review.
- E. Applications for subdivision review or lot line adjustment review not accepted by the Planning Board shall have the reason(s) for non-acceptance specified in writing to the applicant

and the reason(s) shall be made a part of the record of proceedings of the meeting of the Planning Board.

ARTICLE X NOTICE

Notice of public hearing(s) on each application for subdivision review or lot line adjustment review shall be made in accordance with the provisions of RSA 676, Sections 2 through 4 inclusive, and as adopted by the Planning Board.

ARTICLE XI FORMS

- A. Receipt of Submission of Preliminary Layout/Plan or Completed Application/Final Plat
- B. Checklist for Subdivision Application/Final Plat (can also be used for Preliminary Layout/Plan) or Lot Line Adjustment/Boundary Line Agreement Application
- C. Abutter Notification
- D. Application and Notice of Voluntary Merger
- E. Request for Pre-Application Design Review (Concept Review)