

BYLAWS FOR THE FARMINGTON PLANNING BOARD

1. **NAME:** The name of the Board shall be "Farmington Planning Board" as established at the Town Meeting held on March 10, 1963.
2. **AUTHORITY:** These Rules of Procedures are under the authority of New Hampshire Revised Statutes Annotated (RSA), 1983, Chapter 676:1, and the meetings shall be conducted under "Roberts Rules of Order".
3. **PERSONNEL:**
 - A. The Planning Board shall consist of seven (7) members, appointed by The Board of Selectmen, and shall include one (1) Selectman, to act as ex-officio member, with power to vote. Selection, qualification, term, removal of members and filling of vacancies shall conform with Sections 2 through 14 inclusive, Chapter 673, New Hampshire RSA, 1983. The provisions of RSA 41:3 shall apply.
 - B. The Board of Selectmen may provide for the appointment of not more than five (5) Alternate Members to the Planning Board. The terms of Alternate Members shall be for three (3) years.
4. **ORGANIZATION:** The Board shall meet each year within two (2) weeks after the annual Town Meeting and shall be called to order by the current Chairperson or the most senior member in years of service present. At this meeting the Board shall organize for the election of a Chairperson, Vice Chairperson, and Secretary.
 - A. The Chairperson shall serve for one year and be eligible for re-election. Said Chairman shall preside over meetings and hearings, appoint such committees as voted by the Board and shall affix his signature in the name of the Board. Subcommittee members shall be appointed by the Chairman through vote of the Planning Board.
 - B. The Vice Chairperson shall serve for one year and be eligible for re-election. Said Vice Chairperson shall preside in the absence of the Chairperson and shall have powers of the Chairperson on matters which come before the Board during the absence of the Chairperson.
 - C. The Secretary shall be elected to serve for one year and be eligible for re-election. Said Secretary or his/her designee shall maintain a record of all meetings, transactions and findings of the Board and perform other such duties as the Board may deem necessary. All records are subject to the right to know law.
 - D. A clerk may be hired by the Board, through the Board of Selectmen, to perform the secretarial duties such as taking of the minutes, mailing, and posting all notices.

5. ATTENDANCE:

- A. Members who fail to attend four (4) meetings out of any twelve (12) consecutive meetings held without due cause may be recommended by the Planning Board for replacement by the Board of Selectmen. Such failure to attend shall be deemed sufficient cause for the Board of Selectmen to remove the member pursuant to RSA 673:13. Appointments made to fill any vacancies shall be for full terms to begin the date of appointment by the appointing authority unless otherwise provided in state statute.
- B. Requests for extended leave of absence by a member may be granted by a majority vote of the Planning Board.

6. MEETINGS:

- A. Regular Meetings shall be held at the Municipal Office Building, 356 Main Street, starting at 6:00 p.m. on the first and third Wednesday of each month. All meetings are scheduled to end by 10:00 p.m. If an agenda item is not completed by that time, it may be continued to the following month's regular meeting date. The Board reserves the right to reschedule agenda items within their noticed time frames. The Board also reserves the right to extend the meeting time beyond 10:00 p.m., if they deem it appropriate. The first meeting of each month is typically designated as a "Work Session" which may include ongoing Planning Board agenda items (i.e., land use regulation updates, zoning amendments, etc.) and any necessary public hearings. The second meeting typically acts as the regular meeting for scheduled public hearings for new business.
- B. Public Hearings: may be held at times other than regular meeting dates. All hearings are advertised, as are any other meetings that are held at times other than regular meeting times. All meetings are open to the public.
- C. Special Meetings: at the request of three (3) members of the Planning Board, shall be called by the Chairperson or, in his absence, by the Secretary, within seven (7) days. No business shall be acted upon at the special meeting unless four (4) members are present.
- D. Quorum: A quorum for all business shall consist of four (4) members. A quorum for all hearings shall consist of four (4) members. If a member disqualifies himself or cannot act in a particular case, he shall so notify the Chairperson, who shall appoint an alternate member who shall have all the powers and duties of a regular member regarding the application under consideration. Alternates shall be appointed by a Chairperson on a rotating basis.
- E. Chairperson: The Chairperson shall preside over all meetings. In the absence of the Chairperson, the Vice Chairperson, Secretary, or the most senior person on the board in years of service shall preside.
- F. Order of Business:
 - 1. The order of business for regular meetings shall be as follows:
 - a. Pledge of Allegiance
 - b. Minutes of previous meeting
 - c. Public comment
 - d. Public hearings

- e. New Business
- f. Member comments
- g. Any other business before the Board
 - a. Announcement of ZBA Notices of Decision
 - b. Any other communications directed to the Board
- h. Adjournment

(NOTE: Although this is the usual order of business, the Board may wish to hold consideration of new business after the roll call to accommodate the public.)

2. The order of business for a Public Hearing shall be as follows:
 - a. The Chairperson shall call the meeting to order and announce the hearing by reading aloud the summary of the application.
 - b. The Chairperson shall state the manner of hearing conduct and meeting steps. These are administrative announcements with no voting.
 - c. The Chairperson shall call for a motion and majority vote to ask board members in conflict to recuse themselves under RSA 673:14. Such vote shall be advisory and non-binding.
 - d. The applicant or designated representative will be named for the record and the Board will confirm with staff that all appropriate administrative requirements have been met, including application submittal, fees, and noticing.
 - e. The application will either be accepted or rejected due to the lack of sufficient information as required by the Subdivision/Site Review Regulations.
 - f. The applicant or designated representative shall be called to present his subdivision or site plan or other type of application.
 - g. The Board will take comments from Town staff, which may include reviewing and discussing feedback from the Technical Review Committee when applicable, as well as any written testimony received.
 - h. The Chairperson will open the public hearing. Inform the public that the hearing is open for public input. All questions and comments should be directed to the Chairperson. Anyone testifying must state their name and address for the record. Depending on the number of people present, the Board can limit comments to 3-5 minutes. This is not intended to be a back and forth.
 - i. After members of the public have spoken, allow the Planning Board, the applicant, or the applicant's representative to address any comments.
 - j. Close or continue the hearing to a date and time certain. If the Board chooses to continue the hearing to a date and time certain, inform the public that there will be no notification sent to them and that further extension, if needed, will be made at each meeting.

- k. The Board will act on any waivers. Determine if the Board wishes to move the application to approval and/or act on any waivers or continue to a date and time certain.
- l. Take a motion and second to approve, conditionally approve, deny, or continue to a date certain. The Board should discuss the motion that has been made. Conversations should be limited to Board members only. The Board may wish to clarify or amend any portions of the motion.
- m. Close the application consideration by a voting on the motion to approve, conditionally approve, or deny the application.

7. GENERAL RULES:

A. Application

- 1. A completed application and supporting documentation shall be submitted to the Farmington Planning and Code Enforcement Office at least thirty (30) days prior to the meeting upon which the application is to be considered by the Planning Board for formal acceptance. Notification of said meeting shall be provided in accordance with RSA 676:4(l)(d).
- 2. Applications for Site Review and Subdivisions may be subject to review from the Technical Review Committee. The TRC shall make recommendations to the Planning Board and the applicant prior to formal submission to the Planning Board. The Technical Review Committee's authority and make up is referenced in Section 1.02 (D) of the Town's Zoning Ordinance.
- 3. The Technical Review Committee will be responsible for making recommendation to applicants in the preparation of site review, subdivision, and other applications prior to presentation to the Planning Board for consideration of formal acceptance of jurisdiction over the application. In order for an application to be scheduled for consideration of jurisdictional acceptance by the Planning Board, the Technical Review Committee (TRC) may review and make recommendations on the application. The TRC shall develop its own rules of procedure for approval by the Planning Board.
- 4. Land development applications are available at the Planning and Community Development Department's Office.
- 5. Applications shall be placed on the agenda after review and recommendation by designated personnel.
- 6. All applications shall be completed as prescribed in the Subdivision and Site Plan Review Regulations. The Board shall reject any application not properly filled out or lacking necessary information.

B. Joint Meetings (Reference RSA 676:2)

- 1. Joint Meetings of the Planning Board and Zoning Board of Adjustment may be held at the request of either Board or by petition of an applicant.

2. The Planning Board Chairperson shall preside at all the joint meetings unless the Planning Board is acting in a consulting capacity only.
3. A quorum of each Board is necessary to hold a joint meeting.
4. Each Board is responsible for rendering a decision on the subject matter within its jurisdiction.
5. Each Board shall be responsible for communicating its decision within its jurisdiction.

8. **AMENDMENT:** These Rules of Procedures may be amended by the majority vote of the members, provided that such amendment is read at two (2) successive meetings.

These bylaws adopted by the Farmington Planning Board on December 23, 1986, and amended August 17, 2022.



Richard Pelkey, Chairman



William B. Fisher, Vice-Chair



Stephen Henry, Secretary



Charlie King, Board of Selectmen Representative



Jeremy Squires



Michael Day



Roger Mains, Alternate

Filed with the Town Clerk this date: Aug 18, 2022



Becky Dickie, Town Clerk