



PLANNING BOARD TOWN OF HOLLIS, NEW HAMPSHIRE RULES OF PROCEDURE

ADOPTED BY HOLLIS PLANNING BOARD DECEMBER 16, 1997

Amended April 16, 2024

A. AUTHORIZATION

The Hollis Planning Board (Board) duly established by the Hollis Town Meeting on December 31, 1946 (RSA 673:1) hereby establishes the following Rules of Procedure (Rules) for the conduct of its business (RSA 676:1). The provisions of these Rules are subject to any and all applicable state or local laws, regulations and ordinances.

B. MEMBERSHIP

1. The Board shall consist of six (6) regular members (RSA 673:2, II a), no more than five (5) alternate members (RSA 673:6, I), one (1) ex-officio member from the Board of Selectmen (RSA 673:2, II a) and one (1) Selectmen's alternate (RSA 673:6, II). The Selectmen shall appoint all regular and alternate members, shall select the ex-officio member and that member's alternate, and shall fill all vacancies. All members of the Board shall be residents of the Town of Hollis (Town).
2. All regular and alternate members shall be appointed for three-year terms with the appointments staggered so that two (2) regular members and one (1) or two (2) alternate members shall be appointed each year (RSA 673:2 II and RSA 673:5). The terms of the ex officio member's appointment and of that member's alternate shall be the same and shall coincide with the ex-officio member's official tenure (RSA 673:6, III). The Board recommends that terms of office shall commence on April 1 and end on March 31. Should a regular or alternate member's position become vacant any appointment to fill it shall be made for the unexpired term of that position.
3. Each appointed or reappointed member shall be sworn in by the Town Clerk or a New Hampshire Justice of the Peace and take an oath of office. The Town Clerk shall record the appointments and expiration dates of the terms of each member.
4. Alternate members may be designated by the Chair to vote in the place of regular members who are absent or disqualified for any reason (RSA 673:11).
5. Any two (2) appointed or elected members of the Planning Board may also serve together on any other municipal board or commission, except that no more than one member of the planning board shall serve on the conservation commission, the local governing body, or a local land use board as defined in RSA 672:7.
6. Upon any alternate or regular member of the Planning Board having three consecutive absences from "Regular" Meetings as defined by Section G.1, without just cause as determined by the Planning Board Chair and Vice Chair, it will be recommended by the Chair to the Board of Selectmen that the member be removed from the Planning Board.

C. OFFICERS

1. A Chair and Vice Chair shall be elected, in that order, from among the regular members of the Board at the first regular meeting of the Board following the close of annual Town Meeting. Regular, alternate and ex-officio members are eligible to nominate and vote in these elections. If two (2) or more are nominated for office a written ballot is required.

2. Officers shall serve one-year terms starting in April and are eligible for reelection (RSA 673:9).
3. Should the office of Chair become vacant the Vice Chair shall assume the office of the Chair for the duration of the unexpired term and a new Vice Chair shall be nominated and elected by the Board at its next regular meeting. Should any officer be removed or resign a replacement to serve for the duration of the unexpired term shall be nominated and elected by the Board at its next regular meeting.
4. The Chair shall preside over all meetings and hearings, approve agendas, call special meetings, appoint subcommittees of the Board, sign documents of the Board, caused to be prepared an annual report and perform other duties customary to the office. The Chair shall ensure that all parties receive a full and fair hearing before the Board and that all applicable bylaws, procedures, state and local laws, regulations and ordinances are observed.
5. The Vice Chair shall preside in the absence of the Chair and shall have the full powers of the Chair on matters that come before the Board. If both the Chair and Vice Chair are absent any other member shall call the meeting to order and an Acting Chair shall be elected from the total members present to preside.
6. Staff shall keep full and accurate records of the proceedings of each meeting and record the names of the members' present, issue notices of all meetings, and fulfill such duties as the Chair may specify. In the absence of Staff, the Chair shall appoint secretary pro tem to keep records of the meeting.

D. STAFF

Staff shall consist of a Planner and a Planning Consultant. Staff shall manage the Town's planning policies and programs under the policy direction of the Board, administer the Town's subdivision regulations and site plan regulations, work with the Zoning Administrator and/or Building Inspector to administer the Town's zoning ordinance, ensure that plans comply with the provisions of Town ordinances, coordinate activities of the Planning Department with other Town and public agencies, prepare agendas, notices, correspondence and reports as required, act as Agent for the Board and fulfill such other duties as the Board may specify.

E. AUTHORITY AND DUTIES

1. The Board shall have the authority to prepare, amend and accept a Master Plan (RSA 674:2-4) and a Capital Improvement Program (RSA 674:5-8). The Board shall have the authority to prepare amendments to the Zoning Ordinance for adoption by the Town Meeting (RSA 674:16).
2. The Board shall advise the Selectmen on matters within its jurisdiction as appropriate.
3. The Board shall have authority to make investigations, maps, reports and recommendations related to the planning issues affecting the Town.

F. REGULATORY POWERS

1. The Board shall review and approve or disapprove subdivision applications (RSA 674:35). It shall amend its subdivision regulations and procedures as needed by drafting proposals, holding public hearings and adopting them by majority vote (RSA 675:6).
2. The Board shall review and approve or disapprove site plans for expansion of use, as well as for the development of tracts for nonresidential uses, and for multi-family dwelling units other than one- or two-family dwellings (RSA 674:43). It shall amend its site plan review regulations and procedures as needed by drafting proposals, holding public hearings and adopting them by majority vote of the Board (RSA 675:6).
3. The Board or its designee shall regulate access to highways under the jurisdiction of the Town (RSA 236:13. V).

4. The Board shall hold hearings on proposed local building codes, regulations and amendments, and may also propose building code regulations for approval by the Selectmen (RSA 674:51).

G. MEETINGS

1. Regular meetings shall be held on the third Tuesday of the month at 7:00 PM in the Town Hall. The time and place of this regular meeting may be changed by a majority vote of the Board. Regular meetings shall not be scheduled on Federal, State or Town holidays. If deemed necessary a second meeting may be scheduled for the first Tuesday of the month.
2. Special meetings may be held at any time upon the request of the Chair, a majority of the voting members of the Planning Board or Board of Selectmen. Such meetings shall be held only after proper posting for a public meeting and after at least twenty-four (24) hours adequate notice to all Board members. A quorum shall be in attendance at any special meeting where official Board action is taken.
3. All meetings shall be held in full compliance with the provisions of the State's Right to Know Law, the ordinances and regulations of the Town and these Rules of Procedure. Any non-public meetings shall be held in strict accordance with Statute (RSA 91-A).
4. Four (4) members present shall constitute a quorum which shall be required to conduct business (RSA 673:10, III). In the absence or disqualification of a regular member the Chair shall appoint an alternate to vote in that member's place. Only the alternate designated for the ex-officio member shall serve in that member's place.
5. Meetings may be continued to a time and place certain without further notice. Meetings may be postponed or canceled by the Chair with the concurrence of three (3) members, and all members, applicants and applicants' representatives shall be so notified.
6. It is recommended that a regular member who has been absent for discussion of a certain case recuses him or herself from acting on that case, unless that member has satisfactorily researched the case such that the member is confident, he or she understands the particulars of the case. It is the responsibility of the Planning Board Chair to evaluate that the voting members for a particular case have had an opportunity to review all the particulars of the case. If the Chair feels that a voting member is deficient, then the Chair can recommend that the member recuse him or herself and the Chair can assign a knowledgeable alternate member to vote in the specific case in place of the regular member.
7. The order of meetings shall be as follows:
 - a. The Chair shall call the meeting to order.
 - b. The Chair shall call the roll. The Chair shall appoint an alternate at random to vote in place of a regularly appointed member who is absent. This alternate shall continue as a voting member until the end of the meeting unless a regular member whom an alternate has been appointed to replace subsequently joins the meeting, in which case that alternate shall continue as a voting member only until the immediate issue under discussion is completed. All voting and non-voting members may participate in all discussions.
 - c. Minutes of the previous meeting(s) shall be reviewed, revised and approved by those regular and alternate members who were in attendance at that meeting.

- d. Discussion and Staff Briefing
 - I. The Chair shall announce any changes in the published agenda.
 - II. Reports of Officers and committees shall be heard and discussed.
 - III. Staff reports shall be heard.
 - IV. Developments of Regional Impact shall be heard.
 - e. Signature approvals shall be given.
 - f. Public hearings for subdivisions and site plans shall be conducted.
 - g. Old business and new business shall be considered.
 - h. A workshop session may be conducted if necessary.
 - i. The Chair shall adjourn the meeting.
8. The Chair shall establish such rules of parliamentary procedure as are necessary but may be overruled by a majority vote of the members. Roberts Rules of Order shall be used as a guide to conduct meetings unless otherwise provided by these Rules of Procedure. All Board members, Staff and members of the public shall address the Board through the Chair and be recognized by the Chair before they speak.
 9. A motion, duly seconded, shall be carried by an affirmative vote of a majority of the voting members present. Voting shall be by voice or rollcall as determined by the Chair. When meetings are conducted with board members offsite, roll call vote is mandatory. When the vote is evenly divided the motion shall be deemed to have been defeated. The minutes shall include names of dissenting votes or abstentions. The chair shall vote on each motion.
 10. The Board may hold a work session in the late spring to discuss events of the past year and set goals and priorities for the upcoming year.
 11. Study or work sessions may be convened as a whole or as a committee of the whole in the same manner as special meetings, provided that no quorum shall be required and that no official action shall be taken.
 12. The Board may request a joint meeting or hearing with any other land use board or with the Selectmen, and they in turn shall have the discretion of whether or not to hold such a joint meeting or hearing. The Planning Board Chair shall chair any such meeting or hearing.

H. PLANNING BOARD SUBMISSION REQUIREMENTS AND MEETING ADMINISTRATION

1. PUBLIC NOTICE: Notice of any public meeting of the Board stating the date, time and place shall be posted in two (2) public places and/or printed in a local newspaper at least **twenty-four (24) hours prior** to the meeting. Sundays and legal holidays shall not be counted in this computation.
2. MEETING RECORD: All meetings shall be recorded on voice recorder and also video recorder. The meeting is also live streamed on the local access cable channel to allow residents to watch from their homes.
3. MEETING MINUTES: The minutes shall include Board members in attendance, the persons appearing before the Board, a summary of topics discussed and a record of actions taken including the individual votes of each Board member. Minutes are not final until approved by the Board. Minutes shall be open to public inspection within **five (5) business days** of the meeting (RSA 91-A:4. IV. (b)(1)). Minutes of any non-public meetings shall conform to State Statute.

4. CASE RECORDS: Records of all Board decisions shall be prepared and signed by Staff and placed on file in the Board's office and be available for public inspection within **five (5) business days** after the decision was made (RSA 676:3. II).
5. APPLICATION SUBMISSION:
 - a. New applications for consideration before the Board shall be filed with the Planning Department **Monday, 29 days prior the meeting.**
 - b. Ongoing, continued applications / materials shall be filed with the Planning Department **Wednesday, 13 days prior the meeting.**
 - c. For submission of materials not specifically addressed by Federal, State, or Local regulations, the Planning Board Chair, and in the Chair's absence, the Planning Board Vice-Chair, reserves the right to allow the late submission of information because of mitigating or extenuating circumstances, this includes Scenic Road Hearings and Ground Mount Solar Applications (RSA 676:4. I.(b)).
6. PUBLIC AGENDA COMMENT: The public is invited to address the Planning Board at the end of a regular meeting at the discretion of the Chair. In order to do so, the person must follow the **same timeframe as in accordance with new application** to be brought before the Planning Board and the topic cannot be in connection with business that must be brought before the Board following established procedures. In addition, the person must provide the Planning Board with at least an outline of all points to be presented and if the person has materials or a presentation that is intended to be part of his or her appearance, then those items must be provided to the Town Planner when the person requests to be placed on the agenda. The length of an individual's presentation is limited to 10 minutes unless the presenter requests more time and the Planning Board votes to approve the extension of time.
7. The Chair or any Board member with the Chair's approval may call for a recess at any time.
8. COMMENT ON AGENDA ITEMS: Notwithstanding other material submission timing requirements for Planning Board consideration and in order to provide time for due consideration by Board members, correspondence related to an agenda item must be received by the Planning Department no later than the Town Hall close of business;
 - a. New applications - **Wednesday, 6 days before a meeting.**
 - b. Ongoing, continued applications – **Wednesday, 6 days before a meeting.**

Correspondence received after this deadline will be held and then distributed to Board members for the next relevant Planning Board meeting.
9. At the discretion of the Chair, no new business will be heard after 10 pm and the meeting will be adjourned at approximately 10:30 pm.
- I. **CONFLICT OF INTEREST**
 1. To avoid conflict of interest or even the appearance of conflict of interest, any member who may receive some private benefit from a public Planning Board decision shall not participate in deliberations or decisions regarding the matter in question. Such private benefit may create a material personal gain either directly to the member or to family, friends, groups or associates that hold a significant share of the member's loyalty.

2. A member with a conflict of interest shall make that publicly known to the Chair before any deliberations or decisions on the matter in question take place, or as soon as that member becomes aware of a conflict of interest, and shall leave the table where the Board is meeting. Furthermore, the member shall not communicate about the matter in question with any other Board member. When uncertainty arises regarding a member's potential conflict of interest, that member or any other member of the Board may request that the Board vote on the question. Such request and vote shall be made before the start of a public hearing, may not be requested by persons other than the Board members, and shall be advisory and non-binding. If a member disqualifies him/herself and is unable to act, the Chair shall appoint an alternate to act on behalf of that member.
3. Members shall endeavor to protect their unbiased status to participate in any matter while it is before the Board. Members of the Hollis Planning Board should abide by the "Hollis Town Government Guidelines, Resolution of the Hollis Board of Selectmen". (See Appendix A.)

J. SUBDIVISION AND SITE PLAN REVIEW PROCEDURES

1. Applications for subdivision and site plan review shall be made on forms authorized by the Board and shall be presented to Staff who shall record the date of receipt.
2. Staff shall have no less than twenty one (21) calendar days (RSA 676:4.I(b)) to review the application before submitting it to the Board for consideration and a public hearing.
3. Public notice shall be given not less than ten (10) calendar days (RSA 676:4.I(d)), not counting the day the notice is given, prior to the date set for submitting an application to the Board for consideration and a public hearing. Posting shall be in a local newspaper or at two (2) public places. Notice shall be made by certified mail to the applicant, all abutters and any professional whose seal appears on any plan.

K. PLANNING BOARD PROCEDURE FOR APPLICATION REVIEW:

1. The Board shall accept the application for consideration if it is complete.
2. Staff shall report on the proposal.
3. The applicant or agent shall speak or submit written comment. Board and staff shall ask questions of the applicant.
4. The Chair shall open the public hearing, and explain that all comments should be relative to this application.
 - a. Speakers at the podium will be recognized by the Chair.
 - b. Speakers must state their Name and Address for the record.
 - c. Speakers may comment once for two (2) minutes.
 - d. If a speaker's point has been substantially made by others, the Speaker will be requested to briefly conclude the presentation and be asked to yield the speaking opportunity.
 - e. Comments shall be addressed to the Planning Board Chairperson. Speakers are not to engage or debate other members of the public.
 - f. Abutters or any person with a direct personal interest in the proposal may speak or comment in writing.

- g. Members of the general public may speak or submit written comment. The Chair may select a spokesperson from the public to represent several others of the same opinion.
 - h. Other parties such as representatives of Town departments, boards and commissions who have an interest in the proposal may speak or submit written testimony.
 - i. The applicant or agent may speak again.
 - j. The Chair shall close the public hearing.
 - k. The Board shall discuss the application and either approve, disapprove or continue it pending the submission of additional material or information or the correction of noted deficiencies. In the case of continuation, no additional public notice is required provided that the date, time and place of the continuation are stated before adjournment.
 - l. All comments shall be addressed to the Board. Any party to the matter who desires to ask a question shall go through the Chair.
 - m. Each person who speaks shall state his/her name and address and indicate whether he/she is a party to the matter or an agent or counsel to a party to the matter.
5. Final signature of approved plans shall take place following expiration of the statutory appeal period, and satisfaction of any conditions of approval. The plans will be signed by the Chair at the following scheduled Planning Board Meeting. The plans may be signed outside of the scheduled Meeting if a waiver is submitted and approved by the Planning Board. Staff shall record approved plans following receipt of all fees and any supporting documentation (deeds, bonds, escrow monies, etc.)

L. LITIGATION

The Board shall not hear any matter regarding any property which is subject of current court action except that it may consider any proposal which has been submitted as a settlement offer for that action.

M. AMENDMENTS

These Bylaws and Articles of Procedure may be amended by a majority vote of the Board after the proposed amendments have been discussed at the previous regular meeting. Regular, alternate and ex-officio members are eligible to participate and vote. A public hearing is not necessary for the Board to ratify amended procedures.