

**TOWN OF CANDIA, NEW HAMPSHIRE
PLANNING BOARD
RULES OF PROCEDURES**

ARTICLE I: **AUTHORITY:** These rules of Procedure are adopted under the authority of the laws of the State of New Hampshire, RSA 676:1.

ARTICLE II: **NAME:** This body shall be known as the Candia Planning Board and may be referred to as “the Board”.

ARTICLE III: **OBJECTIVES:** The Planning Board shall guide the Town through the preparation of a Master Plan and Zoning Ordinances, through Subdivision Regulations, Site Plan Reviews, Capital Improvement Plan, and other means in accordance with the laws of the State of New Hampshire.

ARTICLE IV: **MEMBERSHIP:**

4.01 Composition:

- a. In accordance with the vote taken at Town Meeting on March 17, 1978 the Board shall consist of seven members, one of whom is a Selectman. In accordance with the vote taken at Town Meeting on March 17, 1990, the other six Planning Board members shall be elected following the procedures outline in NH RSA 673:2, II(b).
- b. In accordance with the NH RSA 673:6, II, the Planning Board may appoint 5 alternate members, who shall be designated an alternate to sit in the member’s place if a member is absent or if the member disqualifies themselves. The alternate appointed by the Board of Selectmen may not replace any other absent member of the Planning Board, nor may any other Planning Board alternate replace the Ex-Officio member if they are absent or if they disqualify themselves. (NH RSA 673:6 III and 673: II)
- c. Members of the Board may also serve on any other municipal board or commission as allowed by NH RSA 673:7 (I).

4.02 Term:

The Term of office for an Elected Planning Board member or an alternate member shall be three years, beginning after elections at annual Town Meeting and ending on the date of Town Meeting for the appropriate term. The term of office of the Selectmen shall be decided by the Board of Selectmen in accordance with NH RSA 673:5 (I)(b).

4.03 Vacancies:

Vacancies in the membership of the Planning Board other than through the expiration of a term of office shall be filled at the time of their occurrences by appointment by the remaining Board members until the next municipal election, in accordance with the NH RSA 673:12.1.

ARTICLE IV: **MEMBERSHIP:**

4.04 Duties and Responsibilities:

- a. Full Board members are expected to attend all meetings on a regular basis.
- b. Notice of Absence – A full Board member unable to attend a meeting shall, at the earliest possible time, inform the Land Use Assistant.
- c. Alternate members are encouraged to attend meetings on a regular basis.
- d. Visit the sites of proposals being considered by the Board, when so voted by a majority of the Board.
- e. Vote on all motions except in those cases where the member has a conflict of interest or is disqualified for any cause as found in the laws of New Hampshire, RSA 673:14.
- f. To be familiar with the Zoning Ordinances and Adopted Planning Regulations of the Town of Candia and with the NH RSA 674:1.

ARTICLE V: OFFICERS:

5.01 Election, Term, and Vacancies:

- a. The officers of this organization shall be a Chairman and a Vice Chairman, elected by a majority vote at a meeting of the Board occurring in the month of March.
- b. The term of office for each officer shall be one year, from April 1 to March 31, or until a successor is elected.
- c. Officers shall be eligible for re-election.
- d. Any vacancy shall be filled by majority vote of the Board at the time of its occurrence.

5.02 Duties and Responsibilities:

- a. The Chair shall:
 1. preside over all meetings and hearings and shall set the agenda for each meeting.
 2. appoint committees as deemed necessary or as directed by the Board.
 3. affix his or her signature in the name of the Board; and
 4. prepare and present a budget to the Board prior to providing a recommendation to the Board of Selectmen.
- b. The Vice Chairman shall preside in the absence of the Chairman and shall have full power of the Chairman on matters which come before the Board during the absence of the Chairman.

ARTICLE VI: MEETINGS:

6.01 Time and Place:

Regular meetings shall be held on the first and third Wednesdays of each month unless otherwise posted at the town office. Other meetings shall be at the discretion of the Chairperson.

6.02 Quorum:

A quorum for regular business shall consist of 4 members.

6.03 Notifications of Meetings:

- a. Notice of each Planning Board meeting shall be posted in accordance with NH RSA 91-A:2, II.
- b. Agenda, and when possible, basic information necessary for attending to the business at hand, shall be distributed to the members no later than 24 hours prior to each meeting.
- c. In the event that a regularly scheduled Planning Board meeting is cancelled due to weather, lack of a quorum or for any other reason, that meeting will be rescheduled for the following evening at the same time and location. If the rescheduled meeting is cancelled, the meeting will be held one week from the original meeting date at the same time and location. A description of this procedure shall be included in all Planning Board Agendas and in all abutter notification letters.

6.04 Voting Procedures:

Every qualified member, including the Chairman, votes at the same time when a vote is called by the Chairman. A Roll Call vote will then be made by the Chair.

6.05 Conduct of Meetings:

- a. The Chairman, with the concurrence of the Board, shall establish the procedure and order of business at each meeting and each hearing.
- b. The Chairman shall allow public comment during all meetings and hearings.
- c. Testimony at public hearing shall be made through the Chairman and in accordance with procedure established at the beginning of each hearing.

6.06 Minutes of the Meetings:

- a. A record of those present and of action taken at all meetings shall be kept. All votes taken shall be recorded, noting those in favor and those opposed to the motion.
- b. Minority opinions shall be recorded at the discretion of the Chairman or by the majority vote of the Board.

6.07 Records:

Records of all meetings, transactions, and decisions of the Board shall be maintained in the office of the Town of Candia.

ARTICLE VII: COMMITTEES: Committees shall be appointed by the Chairman or as required by the Board; membership of the committees need not be limited to Planning Board members.

ARTICLE VIII: OPERATION FUNDS: STAFF:

8.01 Funds:

Funds for the conduct of business of the Board shall come from the revenues of the Town of Candia and from other available sources as determined by the Board of Selectmen.

ARTICLE IX: AMENDMENTS: The Rules of Procedure may be amended by majority vote at any duly noticed meeting of the Board, provided that the proposed amendments are read at one meeting preceding the vote.

ARTICLE X: VALIDITY: If any portion of these Rules and Procedures shall be held to be invalid for any reason by any court, such holding shall not invalidate in any matter any other provision contained herein.

ARTICLE XI: LEGALITY: If any portion of these Rules of Procedures shall be found in conflict with the laws of the State of New Hampshire, the state statute shall prevail.

Adopted: 11/16/88
Amended: 4/17/91, 3/17/93, 9/3/03
Re-Adopted: 4/5/17
Amended: 10/2/19