BROOKLINE PLANNING BOARD BY-LAWS

(March 17, 2016)

SECTION I PURPOSE AND AUTHORIZATION

The Brookline Planning Board (hereinafter, the Board), duly established by the Brookline Special Meeting on January 8, 1951 in accordance with RSA 673:1, hereby establishes the following rules of procedure for the conduct of its business, pursuant to RSA 676:1.

SECTION II MEMBERSHIP AND TERMS OF OFFICE

A. Appointment of Members

The Board shall consist of five (5) members, appointed by the Selectboard, and shall include one Selectman to act as an ex-officio member with power to vote. The Selectboard shall determine alternate ex-officio members. The term of the ex-officio member must coincide with his/her term as a Selectman. Membership of the Board shall conform to the limitations on multiple memberships set forth in RSA 673:7.

B. Alternates

The Board shall encourage the Selectboard to appoint, in addition to regular members, not more than five (5) alternate members who may serve, upon designation by the Chairman, in place of a regular member, in the event of absence or disqualification. The terms and multiple membership requirements for alternates shall be the same as for regular members. Alternates not voting during a meeting are still encouraged to participate in discussions.

C. Training

Within six (6) months of assuming office for the first time, any non-ex-officio member of the Planning Board is encouraged to attend training in accordance with RSA 673:3(a). Subsequent training is available at the discretion of the Board

SECTION III OFFICERS AND THEIR DUTIES

Election of Officers

The Board shall elect, by a majority vote at its annual meeting, the following officers from among its membership. The term of each officer shall be limited to one (1) year; however, any officer shall be eligible for re-election. Hereafter the term of Chairman shall refer to Chairman, Vic-Chairman or Co-Chairman.

1. Chairman

The Chairman shall preside at all meetings and hearings of the Board and shall have the duties normally conferred on such officers. The Chairman shall appoint such committees as directed by the Board, including one member of the Board who shall act as Chairman of such Committees. As directed by the Board, the Chairman may affix his/her signature in the name of the Board. An ex-officio member of the board cannot serve as Chairman.

2. Vice Chairman

The Vice Chairman shall act for the Chairman in his absence and have authority to perform the duties prescribed for that office during the Chairman's absence.

3. Co-Chairmen

Each year, upon agreement by all voting Members, the Board shall elect to have a Chairman and a Vice Chairman or two Co-Chairmen. In the case of the election of Co-Chairmen, each Co-Chair will have the authority to fill in the chairman position. At a start of a meeting, one Co-Chair will declare him/herself as running the meeting.

4. Non-Elected Officers

A Secretary may be hired by the Selectboard. The Secretary will be responsible for the maintenance of the minutes and records of the Planning Board.

A Town Planner/Administrative Assistant (Staff) may be hired by the Selectboard. Staff shall assist the Planning Board prior to and during meetings and assist applicants and Brookline residents with any planning issue. A complete description of the duties of Staff is available at the Selectboard's Office.

SECTION IV MEETINGS

A. Regular Meetings

Regular meetings of the Board shall be held the third Thursday of the month, with additional meetings on the first Thursday as needed and shall be open to the public. The time and place of the meetings shall be selected by a majority vote of the Board taking place at the annual meeting. Regular meetings shall not be held on Sundays or legal Holidays. The following general rules of procedure shall govern the conduct of such meetings:

1. Quorum Required

A majority of the membership of the Board shall constitute the quorum necessary in order to transact business at any meeting. In the event of the absence of a regular member, the Chairman shall designate, upon opening the meeting, an alternate to act in the absent member's place. Only the alternate designated by the Selectboard for the ex-officio member shall serve in place of that member. Should a situation arise when there is no Chairman present but a quorum exists the longest serving member shall chair the meeting.

2. Notice of Meetings

Notice of time, date and place of any public meeting of the Board shall be posted in two (2) public places or printed in any paper of general circulation at least twenty-four (24) hours, excluding Sundays and legal holidays, prior to the meeting.

3. Records Required

Draft minutes of the events of the meetings shall be taken and shall include the names of members in attendance, persons appearing before the board, a brief description of the topics discussed, and a record of any actions taken (see Record of Decisions, below). Such minutes shall be available for public viewing within 5 business days after the meeting (RSA 91-A:2(II). Minutes of Executive Session shall conform to the requirements of RSA 91-A:3.

4. Order of Business

The general order of business may be as outlined below:

a. Call to Order
b. Roll Call
c. Reading and Acceptance of minutes of Previous Meeting
d. Communications
e. Committee Reports
f. Unfinished Business
g. Public Hearings
h. Other Business
i. Adjournment

5. Voting

A motion, duly seconded, shall be passed by a majority of members present, once a quorum has been established, voting in the affirmative.

6. Record of Decision
Pursuant to RSA 676:3, whenever the Board issues **a decision**, record of the decision shall be placed on file in the Board's Office or with the Town Clerk and be made available for public inspection no more than 5 business days after the decision is made.

B. Special Meetings

Special Meetings may be called by any Chairman and a notice to members shall be at least forty-eight (48) hours in advance of the meeting. Notice to the public shall be in the same manner as for a regular meeting. No business shall be acted upon at a special meeting unless a quorum of the membership is present. The notice of the meeting shall specify the purpose of the meeting and no other business may be considered except by unanimous consent of the Board members present once a quorum has been established.

C. Annual Meeting

An annual organizational meeting shall be held at the first regular meeting following the close of Town Meeting, but in no event later than thirty (30) days following the close of town Meeting. The purpose of the annual meeting will be to elect officers and to review the by-laws, which shall be made part of the minutes of the meeting. All members must be present before the election of officers can take place.

SECTION V PUBLIC HEARINGS

A. Public Hearings Required

Public Hearings shall be held, as required by the New Hampshire Revised Statutes Annotated for:

1. Master Plan or amendments proposed under RSA 674:1
2. Subdivision regulations proposed under RSA 674:35-37
3. Site Plan review regulations proposed under RSA 674:43-44
4. Zoning ordinances proposed under RSA 674:16
5. Board review of subdivision or site plan proposals under RSA 674:35-37 and 674:43-44

B. Notice of Hearing

Notice of any hearing shall be given at least ten (10) calendar days prior to the date of hearing by publication in any paper of general circulation or by posting in at least two (2) public places. The ten (10) calendar days shall not include the day of posting or the day of the meeting. For hearings involving an application for subdivision or site plan review, notice to the applicant and abutters shall be given by certified mail at least ten (10) days prior to the meeting. A notice for the first Public Hearing shall also be published in a newspaper of general circulation in the area at least ten (10) days prior to the meeting. The full text of any notice need not be included in the notice provided an adequate summary is included in the notice and a location is specified where the proposal may be viewed by the public.

C. Conduct of the Hearing

The presiding Chairman shall run the public hearing, and shall:

1. Convene the meeting and read the legal advertisement announcing the date, time and purpose of the meeting into the records;
2. Briefly state the manner in which the hearing shall be conducted;
3. Call upon the applicant, or sponsor of any proposal, to present the proposal;
4. Read any written testimony received concerning the proposal into the record;
5. Call upon those appearing in favor of, or in opposition to, the proposal to direct questions or comments to the Chair;
6. Call the hearing to a close, as appropriate, outlining the board's anticipated procedure concerning the proposal.

D. Record of Meeting

A public record of the proceedings shall be taken in writing and incorporated into the Board's minutes.

SECTION VI JOINT MEETINGS AND HEARINGS

A. Request for joint Meetings

The Board, any applicant or any other land use board, may request a joint meeting or hearing of the boards on any topic common to their respective jurisdictions. Each Board shall have the discretion as to whether or not to hold a joint meeting with another board.

B. Planning Board Shall Chair

The Planning Board Chairman shall chair ANY JOINT MEETING OR HEARING in which the Board is involved (RSA 676:2). The Chairman shall follow the general rules of conduct outlined in these By-Laws.

C. Notices and Decisions

Each Board participating in the joint meeting or hearing shall be responsible for providing notice, filing minutes and decisions, and for rendering and issuing decisions, as appropriate, for the subject matter within its jurisdictions, as prescribed for that Board by statute, local ordinance, or other rules of procedure.

SECTION VII STAFF AND FINANCES

Within the limits of funding made available for its use by the Town Meeting, the Board may employ such staff personnel and/or consultants as it sees fit to aid the Board in its work. Appointments shall be made by a majority vote of the members present at any regular or special meeting at which a quorum has been established.

SECTION VIII PUBLIC RELATIONS & COMMUNICATIONS

The Chairman or a duly appointed Board member or staff personnel shall be authorized by the Board to act as the principal public relations contact for the Board. Duties shall be as prescribed by the Board.

Communications with Town Counsel shall be through the Chairman and/or his/her designee and shall be confidential to the Board unless otherwise noted.

SECTION IX COMMITTEES

The Chairman may appoint special committees for the purposes and terms approved by the Board. This may include assignments to subdivision and site plan review projects.

SECTION X APPLICATIONS AND FORMS

A. Applications

Applications for subdivision or non residential site plan review shall be made on forms provided by the Board.

B. Submission of Applications

No application shall be placed upon any agenda for acceptance at a regular meeting of the Board unless the completed application is received by Staff no less than thirty (30) days prior to the meeting date at which it

is to be accepted and/or discussed. No application will be received by Staff except in proper form, as prescribed in the subdivision or site plan review regulations and per RSA 676:4,I(b)

SECTION XI AMENDMENTS

A. Amendments

These By-Laws may be amended by a two third (2/3) vote of the entire voting membership of the Board only after the proposed change has been read and discussed at a previous regular meeting, and excepting that the by-Laws may be changed at any regular meeting by the unanimous vote of the entire voting membership of the Board.

B. Filing with Town Clerk

These By-Laws and any amendments thereto shall be placed on file with the Town Clerk for public inspection. A complete set of By-Laws, as amended, shall also be attached to the minutes of the Board's annual organizational meeting and kept on file.

C. Effective Date

These By-Laws, and any subsequent amendments, shall become effective immediately upon passage by the Board as recorded in the minutes of the meeting at which such action occurs.

Re-adopted by the Planning Board on March 17, 2016

Alan Rosenberg _____

Eric Bernstein _____

Jill Adams
~~Ronald Pelletier~~ _____

Richard Randlett _____

Brendan Denehy _____