

TEMPLE PLANNING BOARD
Rules of Procedure
For consideration 29 September 2021

VI. PRELIMINARY DESIGN REVIEW

1. Applications for a Design Review Phase (676:4, II (b)) meeting with the Board shall be made on forms provided by the Board and shall be presented to the Secretary of the Board who shall sign and record the date of receipt.
2. The applicant shall file the application with the board or its agent at least 15 days prior to the meeting at which the application will be accepted, as required under RSA 674:4, I (b).
3. Notice shall be given as required in RSA 676:4, I (d) 10 days before such application is submitted to the Board.
4. The plan shall include at a minimum the following items:
 - a. A site location map placing the parcel in the larger context of the community;
 - b. A site survey showing pertinent features of the site;
 - c. An indication of any future subdivisions contemplated in or adjacent to the proposal;
 - d. A topographic map of the area;
 - e. Any soils information, such as permeability or boring data, that has been gathered; and
 - f. A sketch showing the proposed layout of lots, streets, and recreation areas; watercourses; natural features and easements.
 - g. The standards and location for the signature block signifying town's approval.
5. The board shall determine the conclusion of the Design Review Phase process and inform the applicant.

VII. APPLICATIONS FOR SUBDIVISION AND SITE PLAN REVIEW

1. Applications for hearings before the Board shall be made on forms provided by the Board and shall be presented to Secretary of the Board who shall sign and record the date of receipt.
2. Notice shall be given as required in RSA 676:4, I (d) 10 days before a completed application is submitted to the Board.
3. Completed applications shall be accepted by majority vote of the Board and shall be scheduled for consideration within 30 days of acceptance. The determination of completeness and acceptance can be done at one public hearing, if appropriate.
4. The board shall reject all applications not properly completed.

VII. FORMS

1. **All forms, including but not necessarily limited to application, checklist, and waiver requests, prescribed herein and revisions thereof shall be adopted by resolution of the Board and shall become part of these rules of procedure.**

VIII. NOTICE

1. <https://www.msn.com/en-us/feed> Public notice of the submission of and public hearings on each application shall be given in the Monadnock Ledger Transcript or by posting in at least two public places, not less than ten (10) days prior to the date fixed for submission and consideration of the application. Posting requirements cannot count the day of the posting and the day of the meeting in the 10 days prior to the meeting.

TEMPLE PLANNING BOARD
Rules of Procedure
For consideration 29 September 2021

[Notes: RSA 676:4 requires the public notice of submission to be given by either publication or posting. The Board may do one or the other, or both, so long as the rules of procedure are consistent with the subdivision and site plan review regulations.

In 2017, the legislature made several amendments to RSA 91-A:2, effective January 1, 2018, including the passage of RSA 91-A:2, II-b, which requires the online posting of meeting notices if a website is maintained "in a consistent and reasonably accessible location" or post and maintain a notice on the website stating where meeting notices are posted.]

2. Personal notice shall be made by certified mail to the applicant, all abutters, and any professional whose seal appears on any plat not less than ten (10) days prior to the date fixed for submission of the application to the Board.

[Note: RSA 676:4 permits the planning board to combine the notice of submission with the notice of the public hearing by stating that if the application is accepted as complete, it will be on the agenda of each planning board meeting until a decision is made. The date of the public hearing must also be included on the notice.]

IX. PUBLIC HEARINGS

The conduct of public hearings shall be governed by the following rules:

1. The Chairperson shall call the hearing in session, identify the applicant or agent, and ask for the Secretary's report on the proposal.
2. The Secretary shall read the application and report on the manner in which public and personal notice was given.
3. The board considers completeness, waivers (if any) and acceptance. If the application is complete the chair opens the public hearing for the applicant to make their presentation.
4. Members of the Board may ask questions at any point during the presentation.
5. Any party to the matter who desires to ask a question of another party must go through the Chairperson.
6. Any applicant, any abutter or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify as permitted by the Board at each hearing.
7. Each person who speaks shall be required to state his/her name and address and indicate whether s/he is a party to the matter or an agent or counsel to a party to the matter.
8. The applicant or agent shall be called to present the proposal, and those appearing in favor of the proposal shall be allowed to speak.
9. Those in opposition to the proposal shall be allowed to speak.
10. Other members of the public may speak.
11. Other parties such as representatives of town departments and other town boards and commissions who have an interest in the proposal shall be allowed to present their comments in person or in writing.
12. The Chairperson shall indicate whether the hearing is closed.
13. Once the hearing is closed, the board will deliberate and make a decision or continue the application pending the submission of additional material or information or the correction of noted deficiencies. In the case of a continuance, additional notice is not required if the date, time and place of the continuation is made known to the public at the adjournment.

TEMPLE PLANNING BOARD
Rules of Procedure
For consideration 29 September 2021

X. DECISIONS

1. The Board shall render a written decision within 90 (RSA 674:4, I(c)(1) says 65) days of the date of acceptance of a completed application, subject to extension or waiver as provided in RSA 676:4.
2. The Board shall act to approve, conditionally approve, or disapprove.
3. Notice of decision will be made available for public inspection at (location) within 5 business days after the decision is made, as required in RSA 676:3. If the application is disapproved, the Board shall provide the applicant with written reason for this disapproval.
4. An approved Site Plan Review application including Notice of Decision and relevant meeting minutes shall be recorded in the town office by the Secretary of the Board.

XI. RECONSIDERATION, APPEAL, AND COURT REVIEW OF PLANNING BOARD DECISIONS (RSA 677:15)

The Planning Board may reconsider any decision to approve or disapprove an application, for good cause, provided it is within the statutory appeal period. This may be done through a motion that specifies the reasons for reconsideration. Upon successful passage of the motion, the board shall schedule a public hearing, with notice as provided in 676:4, I (d), where they shall consider whether or not to revise or alter their original decision. Should the board reach a new decision, a new appeal period shall be considered to have begun pursuant to RSA 677:15, et seq.

XII. FILING WITH THE REGISTER OF DEEDS

1. An approved subdivision plat shall be recorded with the Register of Deeds at Hillsborough County by the applicant prior to any sale or transfer of land within the subdivision.
2. An approved Site Plan Review application including Notice of Decision shall be recorded the Register or Deeds at Hillsborough County by the Secretary of the Board. *Is this necessary for Site Plan Review/Commercial Development?*

XIII. JOINT MEETINGS AND HEARINGS

1. The Planning Board may hold joint meetings and hearings with other "land use boards" including the zoning board of adjustment, the Historic District Commission, the Building Code Board of Appeals, and the Building Inspector. Each board shall have discretion whether or not to hold such joint meeting or hearing (RSA 676:2).
2. Joint business meetings with another local land use board may be held at any time when called jointly by the chairmen of the two boards.
3. A joint public hearing must be a formal public hearing when the subject matter of the hearing is within the responsibilities of the boards convened.
4. The Planning Board Chairperson shall chair all joint meetings and public hearings when the subject matter involves the Planning Board.
5. The rules of procedure for joint meetings and hearings, the subject matter of which involves the Planning Board, shall be the same as these rules of procedure except that the order of business shall be as follows:
 - a. Call to order by Chairperson;

TEMPLE PLANNING BOARD
Rules of Procedure
For consideration 29 September 2021

- b. Introduction of members of both boards by Chairperson;
 - c. Explanation of reason for joint meeting/hearing by Chairperson;
 - d. In the case of a public hearing relative to a requested permit or an application for a plat approval, or both, the applicant shall be called to present his/her proposal;
 - e. Adjournment.
6. Each board involved in a joint public hearing makes its own decision, based on its criteria for the particular matter.

XIV. AMENDMENT

The Board's rules of procedure may be amended by a majority vote of its members. The Board shall hold a public hearing prior to adoption of new rules or amendment of existing rules. Notice for the time and place of the hearing shall be as provided in RSA 675:7. The amended procedures shall be filed with the municipal clerk.

DRAFT