Rules of Procedure
Swanzey Planning Board

These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated, Chapter 676:1 and the Zoning Ordinance and the Map of the Town of Swanzey, New Hampshire.

ORGANIZATION

1. Members: Planning Board members are elected and positions filled on a staggered basis at regular town elections pursuant to RSA 669:17 and 673:5,II. Selectmen shall choose one selectman as an ex-officio member to the Planning Board.

2. Alternates:
   a. Alternate Members: The Planning Board may appoint 3 alternate members for staggered terms of 3 years each. An alternate for the ex-officio selectman member may be appointed by the Selectmen pursuant to RSA 673:6,III. The term of the ex-officio alternate shall be the same as that of the ex-officio member.
   b. Participation by Alternates: An alternate member who is not sitting in place of a regular member may participate as a nonvoting member in all discussions, including public hearings, but shall not participate in deliberations and shall not vote on any matter.

3. Members Serving on Other Local Boards: Pursuant to RSA 673:7,I, members of the Planning Board may also serve on any other municipal board or commission, provided that such multiple membership does not result in two or more Planning Board members serving on the conservation commission, the local governing body, or a local land use board as defined in RSA 672:7.

4. Vacancies:
   a. Vacancies in membership occurring other than through the expiration of a term of office shall be filled as follows:
      i. For an elected member: By appointment by the remaining board members until the next regular municipal election at which time a successor shall be elected to either fill the unexpired term or start a new term, as appropriate.
      ii. For an alternate member: By appointment by the remaining board members to either fill the unexpired term or start a new term as appropriate.
   b. Nomination Procedure: When a vacancy occurs either for an elected member or an alternate member, a notice of vacancy shall be posted in at least two public places.

The term of office shall be indicated on the posting. When vacancies are posted, registered Swanzey voters seeking to be appointed shall submit their letter of interest to the Town Planner or designee. The vote on the appointment shall occur at a date and time certain.

5. Attendance and Participation: Members must reside in the Town of Swanzey and are expected to attend each meeting of the board to exercise their duties and responsibilities. Any member unable to attend a meeting shall notify the Town Planner as soon as possible. Members, including the chairman and all officers, shall participate in the decision making process and vote to approve or disapprove all motions under consideration.

6. Oath: Each newly elected or appointed (including re-elected or re-appointed) member shall be sworn in and take an oath of office as required by RSA 42:1.

MEETINGS

1. Subject to change as necessary, regular Planning Board meetings are held on the second and fourth Thursday of every month at Whitcomb Hall located at 17 Main Street, Swanzey, at 6:00 p.m. Notice of the date, time, and location of all meetings must be posted pursuant to RSA 91-A of the change in location.
2. A quorum for all meetings of the board shall be four members, including alternates sitting in place of regular members.
3. If any regular member is absent from any meeting or hearing, or disqualifies himself from sitting on a particular case, the chairman shall designate one of the alternate members to sit in place of the absent or disqualified member, and each alternate shall be in all respects a full member of the board while so sitting.
4. If any member finds it necessary to disqualify oneself from sitting in a particular case, or if the Board votes pursuant to RSA 673:14,II that the member is disqualified, the member shall leave the table and the Chairman shall designate an alternate to act in the members place as provided in RSA 673:11. The procedures contained in the Ordinance of the Town of Swanzey Conflicts of Interest Described and Regulated, adopted at Town Meeting March 14, 1995, will be followed.
5. The order of business for regular meetings shall be as follows:
    a. Roll Call by Chairman.
    b. Reading of Agenda by Chairman.
    c. Minutes of the Previous Meeting(s).
    d. Regional Impact Vote.
    e. Public Hearings.

f. Acceptance of Applications for Review. (Comments from abutters and the public will be accepted only on the issue of completeness of the application).
g. Informal Conceptual Consultations.
h. Signing of Approved Plans.
i. Reports of Special Committees.
j. Adjournment.

Any deviation from this order of business will not affect the validity of actions taken.

6. Special meetings may be called by the Chairman or, in his/her absence, by the Vice-Chairman, or at the request of three members of the Board, provided public notice and notice to each member is given at least 48-hours in advance of the time of such meeting. This notice shall specify the purpose of the meeting.

APPLICATIONS / DECISIONS

1. Application procedures for subdivision and site plan review:
    a. Preliminary Conceptual Consultation (RSA 676:4,11(a)). This phase shall be in accordance with Section VII of the Town of Swanzey Site Plan Review Regulations and is optional at the discretion of the applicant, but is recommended for any large project. This informal discussion is conceptual and in general terms only and may occur at any regular scheduled meeting - Non-binding and no Public Hearing required.
    b. Design Review Phase (RSA 676:4,II, b). While still non-binding, this discussion under Section VII of the Town of Swanzey Site Plan Review Regulations may involve more specific details, and requires formal public notice per 676:4,I,d.
        i. Pre-application review shall be separate and apart from formal consideration and the time limits for acting in Paragraph I .c.(5) of this section shall not apply until formal acceptance in accordance with Paragraph c.(4) and notification in accordance with Paragraph c.(5).
    c. Completed Application (Required):
        i. In accordance with the requirements of Section VII, 3 of the Town of Swanzey Site Plan Review Regulations, a completed application sufficient to invoke the jurisdiction of the board shall be filed with the board's designee at least 21 days prior to the public meeting at which it is to be submitted.
        ii. A completed application shall include all fees for notices and any other fees assessed by the Board under the provisions of RSA 676:4,I(g) and shall fulfill

the requirements of Section VII,2 of the Town of Swanzey Site Plan Review Regulations.

iii. At a regular meeting and with proper notification per RSA 676:4,I(d), the Board (with recommendations from the board's staff) will determine if the application is complete.

iv. Acceptance will be in accordance with Section VII,3 of the Town of Swanzey Site Plan Review Regulations, requiring an affirmative vote by the majority of the board present. A Public Hearing may immediately follow or be scheduled for a date and time certain.

v. A Public Hearing is required after the acceptance of a completed application. The applicant will be notified in writing when the application has been accepted and the 65-day (or 95 days in the case of developments of regional impact) period for approval or disapproval starts.

PUBLIC NOTICE

Public Hearing notices shall follow the procedure outlined in RSA 676:4,I(d). Public Notice will be published in the legal section of the Keene Sentinel, and two other places in town.

PUBLIC HEARINGS

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

1. The Chairman shall open the hearing.
2. The applicant shall be called to present their proposal.
3. Except for very short and necessary clarifying remarks, members should wait until the applicant finishes their presentation before asking questions.
4. Each person who appears shall be required to state their name and address and indicate whether they are a party to the case, or an agent or counsel.
5. Those in favor or opposition of the proposal shall be allowed to speak.
6. Any member of the Board, through the Chairman, may request any party to speak at the Chairman's discretion.
7. Any party to the case who wants to ask a question of another party to the case must do so through the Chairman.
8. The Planning Board will hear any evidence that pertains to the facts of the case or how the facts relate to the provisions of the town Zoning Ordinances and the State RSAs.
9. After all evidence, and before the Public Hearing is closed, the board may discuss conditions for approval that would require a Compliance Hearing and may decide to continue the Public Hearing to allow the applicant to address those conditions.
10. The Chairman shall close the Public Hearing.

DECISIONS

1. After the close of the Public Hearing, the board may defer discussion on the case to a later time and continue with the next agenda items.
2. The Board may approve or deny the request, approve with conditions, or deny without prejudice per RSA 676:4,I(c)(1).
3. Notice of decision shall be filed in writing within 5 business days after a decision is made as required in RSA 676:3. The decision must include specific written findings of fact that support the decision.
    a. In the case of a denial or denial without prejudice, the notice shall include the reasons thereof.

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 or public meeting, 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.

RECORDS

1. The records of the Board shall be kept by the clerk and made available for public inspection at the Town Hall in accordance with statutory requirements.
2. Minutes of all meetings, including names of board members, persons appearing before the board, any and all votes taken and a brief description of the subject matter shall be open to public inspection within 5 business days of the public meeting. RSA 91-A:2,1I.

JOINT MEETINGS AND HEARINGS

1. Joint meetings may be held with other boards under the provisions of RSA 676:2 if both boards are agreeable.

AMENDMENTS

These rules of procedure may be amended by a majority vote of the Board members present provided that such amendment is discussed at a meeting of the Planning Board, and following said discussion the text of the proposed amendment is posted in at least two public places in Town at least ten (10 days) preceding the meeting when the vote is to be taken.

We hereby attest that this is a true copy of the Rules of Procedure adopted by the Planning Board on March 14, 2013; amended on February 12, *2026*