Chairman Paul Carideo opened the workshop at 7:00 PM. Members present: Paul Carideo, D. J. Howard Jr., Chris Dane, Robert Waldron, Proctor Wentworth, Neil Emerson, Chad Bennett, Ex-officio, and Glen S. Emerson, Alternate, Nicholas J. Cricenti Jr., PE, Town Engineer, Secretary Susan Hastings, and Julia Forbes, Ordway Park Committee.

**ORDWAY PARK**

P. Carideo said the item on the “agenda” was for the Board to get an update on what was happening with Ordway Park documents since the last meeting. Julia Forbes had sent the Board a letter concerning the easement. The Selectmen had researched their records and found they had missed recording it about 15 years earlier. Subsequently they had recorded it. The tax map error has been corrected. J. Forbes said there was a discrepancy between the right of way widths of Derry Road and Depot Road. She said the two roads were originally one road and she wanted to know why the widths were different. It appears Ordway Park actually may extend beyond the stonewall. P. Carideo said he understood her concerns but it was not a planning board issue. Julia said she wanted the Board to have the information.

**MEETING DATE**

Paul Carideo asked members if they were able to make a meeting on 6 July 2015. Those present said they could make the meeting. Paul told members the owners of 416 Emerson Avenue had called to schedule the Change of Use request of Mike Osaka for 1 June 2015. He reminded the members the unapproved minutes will also be on the June agenda.

**STAFF MEETING**

Paul Carideo asked Nick Cricenti to explain to the Board what he does for them and the role of the TRC. Nick said TRC is a misnomer since the review is really a meeting of Department Heads and himself. The Legislature recently gave statutory authority to Technical Review Committees. This group is for review concerning local concerns of the departments and not a formal TRC as set up by the Legislature. Notes are taken and provided to the Board. Each department participating writes his specific recommendations and these are included with the packet, which includes a posted notice of the meeting.

**STAFF MEETING** CONTINUED FROM PAGE 1

When the Board receives a plan the Secretary notifies him. Sometimes the engineer on a project will tell him directly that they are submitting something to the Board. The TRC is a nonbinding discussion. The plan is checked by SFC’s engineering for closure and the property is looked at. For site plans, the closure is not checked. Each item in the Zoning regulations is reviewed for compliance. Subdivision and Site Plan regulations are reviewed. A review letter is supplied to the department heads and Nick said he provides help explaining what a plans intent is. Nick said he began working with the Town in 1985. He said he just likes this type of work. Nick said he attends scoping meeting with the state when there is work, which involves the State Roads. He has also worked with the DES on projects like the flooding problem on Marylyn Park Drive. He added the work is in line with what other towns do. Chad Bennett asked who called the meetings. Nick said he talked with Kris Emerson after they had seen the plans to see if there was a need. In the beginning, they checked all plans submitted. Kris calls a change of use review since these are first submitted in his office. Some use changes such as mercantile to mercantile would not need a review. Chad asked who was notified. The Fire Department and Police Department Chiefs, the road agent, Code Enforcement Officer and recently the Historic Commission asked to be included. Paul Carideo added it brings all the issues the department heads have to one table and there is no misunderstanding of what is needed for the Town. Nick said it also saves the applicants money since they do not run into the problem of continued meetings so a report can be received. Neil Emerson asked if Kris could do all the use changes. Nick said when the change is to something new then all the department heads may need to get involved. Neil asked if the Planning Board members could be included in the notification of the meetings and Nick said that would be fine. The meetings are usually scheduled on the Tuesday of the week following the application deadline. The reason is to try to give the applicant time to make changes to his plans if that is needed. Chad asked to talk more about asphalt, the top coat and the base coat. Nick said he uses the state bid figures. Neil asked if the applicant could present his own bid prices. Nick said that is done in some towns and is not a problem. He said it takes less time to review a prepared bid package. However, that means the applicant will pay his own person for the bond preparation and then SFC for the review. There are pros and cons to either method. Neil asked if there was a problem with the way it is done now. Paul said Depot Development had a problem when they had to bond for the landscaping so they could get the occupancy permit.

**STAFF MEETING** CONTINUED FROM PAGE 2

Nick said that was because the Board used to bond for the whole project and that is not how the bonds are handled now. He added his inspections are done when he is called and work is done. If it is not complete then the applicant is going to be charged for another inspection and inspection report. Paul asked if he did inspections on complaints. Nick said for Depot when the last complaint came in, both he and Kris Emerson went to the site. Once the bond is released, meaning the site is complete; it is up to the Selectmen to handle any complaints.

Paul Carideo said the next workshop will be after the June 1, 2015 meeting. He is inviting Chief Beaudoin, Jon Worthen and Chip Hastings to come for a discussion of the TRC.

**RULES OF PROCEDURE**

Members discussed the rules of procedure and agreed on the following changes shown in red.

**RULES OF PROCEDURE**

Adopted September 3, 1991

Amended April 15, 2002

Amended June 2, 2008

Amended May 7, 2012

Amended April 1, 2013

Amended

**Authority**

These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated 676:1.

**RULES OF PROCEDURE** CONTINUED FROM PAGE 3

**Membership**

The Hampstead Planning Board shall consist of seven elected members. The Board may appoint up to five (5) alternate members. The Selectmen shall designate one selectman as an ex-officio member with the power to vote and one alternate ex-officio member with the power to vote.

Alternate members, once appointed to sit in place of regular members by the Chairman, will have full participation and voting rights as a regular member.

If the alternate member is to sit in place of the Chairman or Vice Chairman, those official roles assigned to those positions will be carried out by a regular member of the Board.

Alternate members who are not appointed by the Chairman to fill in the seat of an absent or recused member may fully participate, with the exception that they may not make or second a motion, vote or participate in discussions on the motion.

Appointment, term, removal of members, and filling of vacancies shall conform to RSA 673.

Each newly elected or re-elected, or appointed including a re-appointed member or alternate shall be sworn in and take an oath of office as required by RSA 42:1.

The Secretary shall forward to the municipal clerk for recording the appointment or election and expiration dates of the terms of each member and alternate member of the Board.

The Secretary will maintain a record of designation of alternate members as voting members to assist the Chairman.

#### Officers

The duties of the officers of the Board shall be as follows:

Chair: The Chairman shall preside over all meetings and hearings; shall prepare, with the assistance of the Secretary, an annual report; and shall perform other duties customary to the office. Alternate members shall be selected by the Chairman at his discretion.

**RULES OF PROCEDURE** CONTINUED FROM PAGE 4

**Officers** CONTINUED FROM PAGE 3

Vice Chairman: The Vice-Chairman shall preside in the absence of the Chairman and shall have the full powers of the Chairman on matters that come before the Board in the absence of the Chairman.

Secretary: The Secretary shall keep a full and accurate record of the proceedings of each meeting: issue notices of all meetings; record the names of members present; notify applicants and abutters of hearings; and prepare such correspondence and fulfill such duties as the Chairman may specify. In the absence of the Secretary, the Chairman shall appoint a Secretary pro tem to keep records of the meetings per RSA 91:A 2 II.

The officers of the Board shall be elected annually during the month following Town Meeting by a majority vote of the Board. If requested by a majority of those present, voting shall be by written ballot.

**Meetings**

Regular meetings shall be held in the Meeting Room of the Town Office Building, 11 Main Street, Hampstead, NH beginning at 7:00 P. M. on the first and third Monday of each month.

The first meeting of the month is to conduct Public Hearings.

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. The notice shall specify the purpose of the meeting.

Nonpublic Sessions: These shall be held only in accordance with RSA 91-A: 3.

Quorum: A majority of the membership of the Board shall constitute a quorum.

Disqualification: If any member finds it necessary to be disqualified from sitting on a particular case, as provided in RSA 673:14, the disqualification shall be announced by either the Chairman or the member before the discussion or the public hearing on the application begins. The member disqualified shall leave the board table during all deliberations and the public hearing on the matter.

**RULES OF PROCEDURE** CONTINUED FROM PAGE 5

**Meetings**

If uncertainty arises as to whether a Board member should disqualify her/himself, on the request of that member or the request of another member of the Board, the Board shall vote on the question of whether that member should be disqualified. Such request and vote shall be made prior to or at the commencement of any required public hearing. A vote on a question of disqualification shall be advisory and non-binding, and may not be requested by persons other than Board members, per RSA 673:14, II.

A motion duly seconded, shall be carried by an affirmative vote of a majority of the members present. Voting shall be by voice vote and a roll call shall be recorded upon request.

Order of Business normally shall be as follows:

**Call to Order by Chairman**

Bonds

Public Hearings

Discussion of Unfinished Business

Other business

Communications

Report of Officers, Committees, Engineering Consultant

Approval of Minutes

Non-Public Session

Adjournment.

The order of business may be modified at the discretion of the Chairman.

**RULES OF PROCEDURE** CONTINUED FROM PAGE 6

**Application for Subdivision or Site Plan Review**

Applications for hearings before the Board shall be made on forms provided by the Board and shall be presented to the Secretary of the Board or the Board’s agent who shall sign and record the date of receipt.

Notice shall be given as required in RSA 676:4, 1 (d) 10 free days before a completed application is submitted to the Board.

Completed applications shall be accepted by a majority vote of the Board and shall be scheduled for consideration at the next meeting at which hearings will be scheduled. Hearings are scheduled on the first Monday of each month.

The Board shall reject all applications not properly completed.

**Forms**

All forms prescribed herein and revisions thereof shall be adopted by a resolution of the Board and shall become part of these rules of procedure.

#### Notice

Public notice of the submission of and public hearings on each application shall be given in a newspaper of general circulation and by posting at the Town Office Building and the Hampstead Public Library.

Personal notice shall be made by certified mail to the applicant, developer, owner, abutters, holders of conservation, preservation, or agricultural preservation restrictions, and every engineer, architect, land surveyor or soil scientist whose professional seal appears on any plat submitted to the Board on the third Monday prior to the dated fixed for the submission of the application per RSA 676:4 (d).

**RULES OF PROCEDURE** CONTINUED FROM PAGE 7

#### Public Hearings

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

The Chairman shall call the hearing in session, identify the applicant or age and ask for Town Engineer’s report on the proposal.

##### The application shall be read; the manner in which the public and personal notice was given shall be reported.

##### The applicant or agent shall be called to present the proposal and those appearing in favor of the proposal shall be allowed to speak.

Members of the Board may ask question at any point during the presentation.

Any party to the matter who desires to ask a question of another party should direct the question to the Chairman.

Any applicant, any abutter or any person with a direct interest in the matter may testify in person or writing. Other persons may testify, as permitted, by the Board at each hearing.

Each person who speaks shall be required to state his or her name and address and indicate whether he or she is a party to the matter, or an agent, or counsel to a party to the matter.

Those in favor or in opposition may speak.

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.

The Chairman shall indicate whether the hearing is closed or adjourned pending the submission of additional material, or information or the correction of noted deficiencies. In the case of an adjournment, additional notice is not required if the date, time and place of the continuation is made known at the adjournment.

#### Decisions

The Board shall render a written decision within 90 days of the date of submission of a completed application, subject to extension or waiver as provided in RSA 676:4.

**RULES OF PROCEDURE** CONTINUED FROM PAGE 8

#### Decisions

The Board shall act to approve, conditionally approve, or disapprove.

Notice of decision will be made available for public inspection at the Town Office Building, 11 Main Street, Hampstead, NH within 144 hours after the decision is made, as required in RSA 676:3, II. If the application is disapproved, the Board shall provide the applicant with written reason for this disapproval.

#### Records

The records of the Board shall be kept by the Secretary and shall be made available for public inspection at the Office of the Planning Board, 11 Main Street, Hampstead, NH as required by RSA 676:3, II.

The minutes of the meetings, including the names of Board members, persons appearing before the Board and a brief description of the subject matter shall be open to the public within 144 hours of the public meeting as required in RSA 91-A:2, II.

#### Joint Meetings and Hearings

The Planning Board may hold joint meetings and hearings with other “land use boards” including the Board of Adjustment, the Historic District Commission, the Building Code of Appeals, and the Building Inspector. Each Board shall have discretion whether or not to hold such joint meeting or hearing. RSA 676:2.

Joint business meeting with another local land use board may be held at any time when called jointly by the chairman of the two boards.

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.

The Planning Board chair shall chair all joint meetings and public hearings when the subject matter involves the Planning Board.

**RULES OF PROCEDURE** CONTINUED FROM PAGE 9

**Joint Meetings and Hearing** CONTINUED FROM PAGE 9

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:

Call to order by the Chairman

Introduction of members of both boards by the Chairman

Explanation of reason for joint meetings or hearings by the Chairman

In the case of a public hearing relative to a requested permit or an application for

plat approval, or both, the applicant shall be called to present his proposal.

Adjournment

Each board involved in a joint public hearing makes its own decision, based on its criteria for the particular matter.

#### Amendment

These rules of procedure may be amended by a majority vote of the members of the Board provided that such amendment is read at two successive meetings immediately preceding the meeting at which at which the vote is to be taken.

The amended procedures shall be on file with the Town Clerk.

**Members**

Chairman Paul Carideo Vice Chairman Chris Dane

Neil Emerson D. J. Howard

Robert Waldron Proctor Wentworth

Ex-officio Chad Bennett Alternate Glen S. Emerson

Respectfully submitted

Susan J. Hastings, Secretary