

**CONWAY PLANNING BOARD**

**MINUTES**

**APRIL 28, 2011**

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**CONWAY PLANNING BOARD**

**MINUTES**

**APRIL 28, 2011**

A meeting of the Conway Planning Board was held on Thursday, April 28, 2011 beginning at 7:01 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Mary Seavey; Vice Chair, Martha Tobin; Secretary, Patricia Sell; Steven Hartmann; Scott Lees; Kevin Flanagan; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve

**REVIEW AND ACCEPTANCE OF MINUTES**

**Ms. Tobin made a motion, seconded by Ms. Sell, to approve the Minutes of April 14, 2011 as written. Motion carried with Ms. Seavey abstaining from voting.**

**ELECTION OF OFFICERS**

**Ms. Tobin nominated, seconded by Ms. Sell, Mr. Porter as Chair. Motion carried with Mr. Porter abstaining from voting.**

**Ms. Sell nominated, seconded by Mr. Flanagan, Ms. Tobin as Vice Chair. Motion carried with Ms. Tobin abstaining from voting.**

**Ms. Tobin nominated, seconded by Mr. Flanagan, Ms. Sell as Secretary. Motion carried with Ms. Sell abstaining from voting.**

**EASTERN SLOPE INN VACATION OWNERSHIP TRUST – MINOR SITE PLAN REVIEW (FILE #MR11-03) PID 218-53**

Sheila Duane of River Run Company appeared before the Board. Mr. Hartmann stepped down at this time. This is an application to amend File #FR07-04 to revise the landscaping to include a raised planter and an earth berm in lieu of street trees at 107 River Road, North Conway.

Ms. Duane stated that the berm was to help keep lights from the cars on River Road from shining on the building. Ms. Duane stated there is very little room between the building and the road. Ms. Duane stated there was a question regarding the lighting. Ms. Duane stated that the two walls packs shown on the west side of the building were not installed and there are recessed lighting under the overhangs. Ms. Duane stated that there is not going to be any light that shines on anyone else's property.

Ms. Duane stated that purpose of this application is to have the street trees waived and have the berm in lieu of the street trees. **Ms. Tobin made a motion, seconded by Ms. Sell, to accept the application of Eastern Slope Inn Vacation Ownership Trust for a Minor Site Plan Review as complete. Motion unanimously carried.**

Joe Berry, owner of the property, joined the audience at this time. Ms. Sell asked if this is in the right-of-way. Ms. Duane stated that a corner of it is about one foot into the right-of-way. Ms. Duane stated that the NHDOT is okay with it, but we haven't received a letter of approval yet. Ms. Tobin stated that it does look lovely.

Mr. Porter asked for public comment; Steve Hartmann stated aesthetically the lighting and the planter are good. Mr. Hartmann stated that he did not realize lighting would be an issue. Mr. Irving stated the Board has adopted some new standards and they have not demonstrated that they meet those standards. Mr. Irving stated that they either need to demonstrate compliance with the new requirements or request a waiver that what they have is acceptable.

Mr. Lees stated he does not think the lighting is an issue. Mr. Lees stated they were in compliance when they were first approved and then we changed the regulations. The Board took a five minute recess so the applicant could submit a waiver request for §123-26.

Mr. Porter read the waiver requests for §123-26; §123-29.A.2 & A.3; and §123-29.D.8. **Ms. Sell made a motion, seconded by Mr. Lees, to grant the waivers for §123-26; §123-29.A.2 & A.3; and §123-29.D.8.** Mr. Porter asked for Board comment; there was none. **Motion unanimously carried.**

**Ms. Tobin made a motion, seconded by Ms. Sell, to conditionally approve the Minor Site Plan for Eastern Slope Inn Vacation Ownership Trust conditionally upon NHDOT approval of the planter encroachment into the right-of-way; amend waivers granted on plan; four copies of revised plans; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on July 28, 2011. Motion unanimously carried.**

#### **PUBLIC HEARING – §131 – SUBDIVISION REVIEW REGULATIONS**

Mr. Hartmann rejoined the Board at this time. This is an amendment to §131-1 to clarify the authority relative to driveways; §131-13.E to increase the fee for engineering services from \$40 to \$85 per hour; §131-67.C.3 to correct the sidewalk specifications; and §131-67.C.8.j & k to grant authority to administer driveway permits to the Board of Selectmen.

Mr. Porter opened the public hearing at 7:29 pm.

Mr. Porter read §131-1. Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; there was none. **Ms. Sell made a motion, seconded by Mr. Flanagan, to adopt §131-1 as amended. Motion unanimously carried.**

Mr. Porter read §131-13.E. Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; Ms. Tobin stated that this brings us more in line with the actual cost. Mr. Irving agreed. **Ms. Sell made a motion, seconded by Mr. Flanagan, to adopt §131-13.E as amended. Motion unanimously carried.**

Mr. Porter read §131-67.C.3. Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; there was none. **Ms. Sell made a motion, seconded by Mr. Flanagan, to adopt §131-67.C.3 as amended. Motion unanimously carried.**

Mr. Irving read §131-67.C.8.j & k. Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; Mr. Hartmann asked why turn them over to the Board of Selectmen. Mr. Irving stated they already have been administering them and they have the resources and the people to enforce it. **Mr. Lees made a motion, seconded by Ms. Sell, to adopt §131-67.C.8.j & k as amended. Motion unanimously carried.**

Mr. Porter closed the public hearing at 7:48 pm.

#### **PUBLIC HEARING - §123 – SITE PLAN REVIEW REGULATIONS**

This is an amendment to §123-4.A.4 relative to applicability of site plan review and §123-8.E to increase the fee for engineering services from \$40 to \$85.

Mr. Porter opened the public hearing at 7:34 pm. Mr. Porter read §123-4.A.4. Mr. Irving stated that the amendment gives staff more flexibility. Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; there was none. **Ms. Sell made a motion, seconded by Mr. Lees, to adopt §123-4.A.4. Motion unanimously carried.**

Mr. Porter read §123-8.E. Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; there was none. **Ms. Sell made a motion, seconded by Mr. Hartmann, to adopt §123-8.E as amended. Motion unanimously carried.**

Mr. Porter closed the public hearing at 7:48 pm.

#### **OTHER BUSINESS**

**Theresa Kennett – Housing and the MWV Housing Coalition:** Theresa Kennett appeared before the Board. Ms. Kennett was before the Board to introduce the Mount Washington Valley Housing Coalition.

#### **FIRST READING OF PLANNING BOARD BYLAWS AMENDMENT REGARDING ALTERNATE MEMBERS**

Mr. Irving stated that the Zoning Board of Adjustment was considering the same type of amendment and there was some concern raised, so he contacted the attorneys at the Local Government Center. Mr. Irving read an email from them.

Mr. Hartmann stated that the alternates should be aware of what is going on and sit through the meetings. Mr. Irving stated that they could actively participate during the public hearing, but once closed they should not take part in the deliberation. The Board agreed. Mr. Irving stated that he would amend the wording and bring back to the Board for their consideration. The Board agreed.

**OTHER BUSINESS CONTINUED**

**Bowtie Realty, LLC (PID 235-40) – §123-4.A.4 (#NA11-10)**: Mr. Lees stepped down at this time. This is an application to convert 2,400 square feet of retail and 4,387 square feet of light industry to personal service at 1857 White Mountain Highway. Scott Lees appeared before the Board. Mr. Irving asked Mr. Lees to provide him with a plan showing the occupancies.

**Ms. Sell made a motion, seconded by Mr. Hartmann, that the Planning Board determined that based on the provisions of §123-4. A. 5, regarding applicability, that the conversion of 2,400 square feet of retail and 4,387 square feet of light industry to personal service is not subject to a Minor or Full Site Plan Review because it has been demonstrated that the change of use and/or physical changes to the site are insignificant relative to the existing development. Motion unanimously carried.**

**Kennett Company/Presidential Golf (PID 291-30) – Conditional Approval Expiring (File #S06-13 & #S07-10)**: Mr. Lees rejoined the Board at this time. Mr. Irving stated that the original owners no longer own the property and the Town sent a letter via certified mail to the new owners that these approvals would be expiring. Mr. Irving stated that they have not responded and we have confirmation that they received the certified mail.

**Mr. Porter made a motion, seconded by Ms. Sell, to deny without prejudice File #S06-13.** Ms. Sell stated there are far too many outstanding items and they did not respond to the Town's letter. **Motion unanimously carried.**

**Ms. Sell made a motion, seconded by Mr. Flanagan, to deny without prejudice File #S07-10. Motion unanimously carried.**

**Committee Reports**: Mr. Irving asked the Board to review the Master Plan, specifically the Housing and Population Chapter and to reread the Site Plan and Subdivision Review Regulations. Mr. Irving suggested that the Board request funding from the Voters at next year's Town Meeting.

Meeting adjourned at 8:23 pm.

Respectfully Submitted,

Holly L. Meserve  
Planning Assistant



# TOWN OF CONWAY

1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

(603) 447-3855

FAX (603) 447-5012

## MEMO

TO: Planning Board  
FROM: Tom Irving, Planning Director  
CC: File  
DATE: 04/05/11  
RE: Subdivision Amendments

### Message:

Please review the attached draft amendments to the Subdivision Regulations:

The amendment to §131-1 clarifies the authority relative to driveways.  
The amendment to §131-13.E increases the review fee for engineering to reflect actual costs.  
The amendment to §131-67.C.3 corrects the sidewalk specifications.  
The amendment to §131-67.C.8. j & k Grant the authority to administer driveway permits to the Board of Selectmen.

**SUBDIVISION OF LAND****ARTICLE I  
GENERAL PROVISIONS****131-1. Legislative Authority.**

Pursuant to the authority vested in the Conway Planning Board by the voters of the Town of Conway and in accordance with the provisions of New Hampshire Revised Statutes Annotated (RSA) Chapters 236, 672-677 and subsequent amendments, and the Condominium Act of 1977 (RSA 356-B), the Planning Board adopts the following regulations governing the subdivision of land in the Town of Conway, New Hampshire.

**131-2. Purpose.**

The purpose of these regulations shall be to promote the development of an economically sound and stable community by protecting property values, the natural beauty and environment which provides the primary basis for the town's tourist economy and the unique character of the area and residents; by encouraging subdivision that is in harmony, visually and aesthetically, with rural living and a recreational economy based on our natural resources; by preventing such scattered or premature subdivision of land as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, sewage disposal, transportation or other public services or necessitate excessive expenditure of public funds for the supply of such services; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, through proper arrangement and coordination of streets and ways within a subdivision in relation to other planned streets; to promote the amenities of the town through the provisions for parks, playgrounds and other recreation areas, preservation of trees and natural or historic features; and secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance, both of the subdivider and the Planning Board.

**131-3. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**AASHTO** -- American Association of State Highways and Transportation Officials.

**AGGREGATE BASE** - The layer of crushed gravel immediately below the pavement and above the aggregate subbase.

**AGGREGATE SUBBASE** – The layer of gravel immediately below the aggregate base and above subgrade.

**ABUTTER** -- Any person whose property is located in New Hampshire or Maine and adjoins or is directly across the street or stream from the land under consideration by the Planning Board. For purposes of receiving testimony only, and not for the purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For the purposes of receipt of notification, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII.

- C. All costs of notices, whether mailed, posted or published, shall be paid in advance by the applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the application without a public hearing. The notice cost shall be five dollars (\$5) per abutter (or any other party notified) and thirty dollars (\$30) for the published notice.
- D. A tax Map amendment fee of fifty dollars (\$50) shall be assessed for each plan sheet to be used to amend the Town's Tax Maps. Said fee to be paid by the applicant prior to final approval.
- E. Applications that require an engineering review shall be assessed a fee of ~~forty~~ eighty-five dollars (\$~~40~~85) per hour. Said fee to be paid by the applicant prior to final approval. In the event that the Town Engineer is not available to review an application, said review shall be performed in accordance with §131-13.F.
- F. The Board may require special investigative studies, environmental assessments, a legal review of documents, administrative expenses and other matters necessary to make an informed decision. The cost of such studies and investigations shall be paid by the applicant prior to final approval or disapproval. The applicant shall submit funds based on the estimated costs to the Town prior to the Town procuring such studies and investigations. The individual or company engaged shall work for, and report directly to the Town. The individual or company chosen shall be agreeable to both the Town and applicant.
- G. When a completed application is submitted to the Town it will be reviewed by Planning Department Staff. Comments will be made in writing and forwarded to the applicant. If the plans are re-submitted by the applicant without addressing the original comments and requests or if design does not conform to the Town's adopted standards the applicant will be charged an additional fee of thirty-five dollars (\$35) per hour. Said fee to be paid by the applicant prior to final approval.
- H. A plan scanning fee of ten dollars (\$10) per sheet shall be assessed to facilitate digitizing the final approved plans.
- I. A twenty-five dollar (\$25) Land and Community Heritage Program (LCHIP) Surcharge Fee shall be assessed for any plans to be recorded. This fee shall be submitted in the form of a check payable to the Carroll County Registry of Deeds.

**131-14. Performance guaranty or bond.**

- A. As a condition precedent to final approval of any subdivision, the subdivider shall file with the Board at the time of submission of the final plat a certified check payable to the Town of Conway, or a faithful performance bond running to the town and issued by a surety company acceptable to the Selectmen, or cash in an escrow account in the name of the developer and the town, in an amount of money equal to the total of the cost of construction of all streets, utilities and improvements plus a 15-percent contingency, as specified on the final plat.



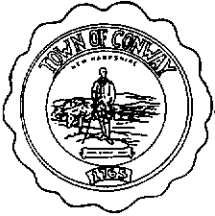
## 2. Curbing

- a. **Use** - Curbing is required in all business districts, along any commercial driveway, all intersections with arterial or collector roads, and where any road or ditch grade exceeds 8% or 6% when the developed length exceeds 250 feet. Use of curbing requires basins and culvert for drainage.
  - b. **Type** - Granite curbing shall be utilized when curbing is installed. Bituminous or concrete curbing shall not be permitted as it is a substandard material for this use. If sidewalks are present vertical curbing is required. If there are no sidewalks than either vertical or sloped curbing is acceptable (See detail 7).
3. **Sidewalks** - As a matter of pedestrian safety, sidewalks are required in the vicinity of schools, and in the Village or Business District. Sidewalks are to be at least five feet wide and shall be set back ten feet from the curb face or road shoulder. Sidewalks shall be concrete poured at 4" thickness with a ~~4000~~ 3,000 PSI mix and 5 to 7 percent air entrainment (NHDOT Specification Section 608 Class B). Concrete shall be poured at no more than 4" slump. Acceleration ad mixtures shall not be used. The concrete shall be reinforced with ¾" fibrillated polypropylene fibers at 1.250 #/cy in accordance with the manufacturer's instructions. A seven-foot wide, one foot (12") deep subbase of 1.5" gravel (NHDOT Item 304.3) shall be used. Compaction of the subbase shall be in accordance with Section 131-67.A(5). Expansion joints shall be installed in accordance with NHDOT standards at 4' spacing. Sidewalks shall be treated with Silane-Siloxane or equal. Sidewalks shall have a broom finish.

Where sidewalks cross driveways they shall ramp down to the level of the driveway and comply with the ADA guidelines. Sidewalks greater than five feet in width may be required in these areas.

4. **Sight Distance, Minimum** - All sight distances shall be computed for both vertical and horizontal curves.
  - a. **Level terrain** - A minimum sight distance of two hundred feet is required.
  - b. **Rolling and hilly terrains** - A minimum sight distance of one hundred and fifty feet is required.
5. **Dead End length and units, maximum** - A dead end street shall not serve more than 35 dwelling units.
6. **Cul-de-sac turn around radius, minimum** - See Detail 4.
7. **Off-Street Parking** - The pavement widths as detailed earlier are predicated on there being no on-street parking. As such off-street parking of two spaces per lot or unit shall be required.

8. **Driveways** - Driveways shall be located and their entrances designed as a part of street design. See Detail 5. The minimum standards which must be met are as follows:
- a. Drainage analysis, design, full paving and curbing may be required all the way to the building site if the driveway is likely to divert runoff to the roadside or cause flow into the street.
  - b. Minimum width of ten foot driveway for residential, fourteen feet for one-way non-residential, and twenty feet for two-way non-residential. Maximum width of eighteen foot driveway for residential and thirty-six foot driveway for non-residential.
  - c. 90 degree +/- 15 degrees intersection with street.
  - d. Intersection flares - at minimum single family driveways shall provide a fifteen foot curb radii or five-foot wide by ten-foot long straight flare.
  - e. Driveway grades shall comply with Detail 5.
  - f. Commercial driveways require curbing and a minimum radius of 25 feet.
  - g. Unpaved driveways will require paved aprons extending at least to the ditch line but not less than 15 feet for residential driveways and 25 feet for commercial driveways.
  - h. No more than 1 curb cut is allowed for residential lots (see also 123-20).
  - i. Also see Table 2 for driveway site-distance requirements and location relative to intersections and other driveways and Detail 5 for other requirements.
  - j. In accordance with RSA 236:13 and the legislative authority cited in §131-1 of this chapter, prior to any modification of an existing driveway or construction of a new driveway that deviates from the design shown on an approved subdivision plan or site plan or construction of a new driveway that is not adequately represented on an approved subdivision plan or site plan the property owner must first secure a driveway permit. The Planning Board hereby delegates the authority to administer and issue such permits in accordance with this Chapter to the Board of Selectmen. This includes the issuance of such permits and the adoption of the forms and administrative policies to administer same.
  - k. In accordance with the legislative authority cited in §131-1 of this chapter, prior to any work, other than that represented in a driveway permit issued pursuant to §131-68.C.9.(j), by work performed by contractors, developers, utilities or others doing work on town properties or town roads must first secure a construction permit. The Planning Board hereby delegates the authority to administer and issue such permits in accordance with this Chapter to the Board of Selectmen. This includes the issuance of such permits and the adoption of the forms and administrative policies to administer same.



# TOWN OF CONWAY


1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

(603) 447-3855

FAX (603) 447-5012

## MEMO

TO: Planning Board

FROM: Tom Irving, Planning Director 

CC: File

DATE: 04/05/11

RE: Applicability Amendment §123-4.A.4.

### Message:

Please review the following draft amendments. Once the Board has decided on the amendments they wish to consider, you can then call for a public hearing prior to their adoption.

The Amendment to §123-4.A.4. expands use of this applicability subsection.

123-4. A.4. Small undertakings where it is demonstrated that:

- (a) All proposed changes to the structure and/or site conform to all other applicable codes and reasonably conform to the site design standards of this Chapter;
- (b) Proposed changes do not increase the intensity of use on the site beyond the service capacity of existing on-site infrastructure (including but not limited to parking, traffic generation and septic loading);
- (c) Any net reduction in greenspace on the lot is less than or equal to 200 square feet;
- (d) Any increase in structure floor space is less than or equal to 100 square feet; and
- (e) In order to ensure that cumulative impacts can be evaluated by the Planning Board in a public forum this subsection (§123-4.A.4.) shall not be applied if its application combined with prior applications since the latest review by the Planning Board would result in a cumulative decrease of green space greater than 400 square feet or in a cumulative increase in structure floor space greater than 200 square feet. ~~more than twice before a Minor or Major Review by the Planning Board is required so that cumulative impacts can be evaluated in a public forum.~~

The Amendment to §123-8.E increases the review fee for engineering to reflect actual costs.

123-8. E. Applications that require an engineering review shall be assessed a fee of ~~forty~~ eighty-five dollars (~~\$4085~~) per hour. Said fee to be paid by the applicant prior to final approval. In the event that the Town Engineer is not available to review an application, said review shall be performed in accordance with §123-8.F.

TOWN OF CONWAY, NH  
PLANNING BOARD BY LAWS

- ARTICLE I**      **NAME:** The name shall be "Town of Conway, New Hampshire Planning Board" as adopted at the Town Meeting on March 10, 1970. Hereafter, the term "Board" shall be used to simplify the text.
- ARTICLE II**      **PURPOSE:** The purpose of the Board is to plan for the orderly short and long term development of the Town, and to adopt and administer such regulations that fall within its jurisdiction.
- ARTICLE III**      **MEMBERSHIP:** The Board shall consist of seven members. Six members shall be elected, and one ex-officio member shall be appointed by the Board of Selectmen. All seven members have the power to vote. The Board may also appoint up to three alternates to serve in the absence of regular members. Alternates shall be appointed for one (1) year terms. Alternates are expected to regularly attend meetings so that, if they are called upon to sit in place of absent members, they are familiar with the applications and agenda items being considered by the Board. Alternates may fully participate in all discussions and deliberations, however, they are not permitted to vote unless they are appointed to replace an absent Board Member. Selection, qualifications, terms, removal of members and filling of vacancies shall conform with RSA 673:5-14.
- ARTICLE IV**      **OFFICERS:** The Board shall annually elect three officers at the first meeting after Town Meeting. The officers are Chair, Vice Chair and Secretary.
- ARTICLE V**      **DUTIES OF OFFICERS:**
- A. Chair: The Acting Chair shall call the meeting to order, preside over the deliberations, ensure that all proceedings are held in accordance with Town and State law (spell out), appoint committees, prepare an annual report, and perform other duties customary to the office.
- B. Vice Chair: In the absence of the Chair, the Vice Chair shall perform all duties of the Chair. If neither the Chair or Vice Chair are available for a scheduled meeting a quorum of the remaining members shall appoint an Acting Chair to fulfill the aforementioned duties.
- C. Secretary: The Secretary shall sign plans and document conditions pursuant to conditional approvals and summarize such conditions for motions related to conditional approvals.
- ARTICLE VI**      **EMPLOYEES:** The Board, may utilize the services of Town Employees such as the Recording Secretary and Town Planner and other consultants as necessary per **RSA 673:16.** Specific requests shall be made in motion format by the Board.
- ARTICLE VII**      **COMMITTEES:**
- A. The Board may establish advisory committees by a majority vote. Such committees shall report directly to the Planning Board.
- B. Committee members shall be Conway residents, and at least one member shall be a member of the Planning Board appointed by the Chair.
- C. Upon creation of a committee, the Board shall establish by majority vote the following:
1. number of committee members;
  2. clear statement of assignment;
  3. time frame for fulfilling assigned duties; and
  4. progress reports and final work product expected.
- ARTICLE VIII**      **MEETINGS:**
- A. Regular meetings shall be held at least monthly. The date, time and place of regular meetings shall be selected by majority vote of the Board at the first meeting following Town Meeting, or at another regular or

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**Adopted on March 15, 2001**

Previous Revision: July 13, 2000

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TOWN OF CONWAY, NH  
PLANNING BOARD BY LAWS

special meeting.

B. A regular meeting may be postponed by the Chair upon ~~written~~ request by four members of the Board, and provided that all members are so notified. However, the Board shall hold at least one meeting each month as required by RSA 673:10, II.

C. The order of business at regular meetings shall be as follows:

1. call to order by Chair
2. appointment of alternates by the Acting Chair, as necessary
3. review of minutes
4. meeting business
5. other business
6. adjournment

D. Special meetings such as workshops and site walks may be called by the Chair or in his/her absence by the Vice Chair, upon request by four members of the Board. The date, time and place of special meetings shall be selected by the vote of the Board. No business shall be acted upon unless a quorum is present. Public notice shall be provided as specified in RSA 91-A:2.II.

**ARTICLE IX**

**PUBLIC HEARING:** The conduct of public hearings shall be governed by the following:

- A. The Chair shall open the public hearing and report on the matter for which notice was given.
- B. The applicant shall be called to present the proposal.
- C. The Chair shall allow all those in attendance to have an opportunity to speak regarding the proposal. The Chair shall allow each individual an opportunity to speak before allowing anyone to speak a second time, and may take action to avoid repetition of discussion.
- D. All discussion shall be directed through the Chair.
- E. After all comments have been received, the Chair shall either close or continue the hearing. The date, time and place of every continuance shall be specified.

**ARTICLE X**

**RULES OF PROCEDURE:**

The Board may adopt such Rules of Procedure as it deems necessary to conduct business, provided that such rules comply with the following provisions:

- A. Four members of the Board shall constitute a quorum. No business may be transacted without a quorum, but a lesser number may meet and adjourn.
- B. A motion, duly seconded, shall be carried when a majority of members present and voting vote in the affirmative.

**ARTICLE XI**

**SUSPENSION OF RULES:** These by-laws may be temporarily suspended by an affirmative vote of at least five Board members.

**ARTICLE XII**

**AMENDING THE RULES:** These By-laws may be amended by a vote of the Board, provided that such amendment is read at two successive, regular meetings immediately preceding the meeting at which the vote is to be taken.