

# PETERBOROUGH NEW HAMPSHIRE

# **Peterborough Planning Board**

1 Grove Street
Peterborough, NH 03458
Office:(603) 924-8000 x 104
Email: ocd@peterboroughnh.gov
Web: www.peterboroughnh.gov

**TOWN OF** 

# **AGENDA**

# PUBLIC HEARING

Monday, August 22, 2022 at 6:30 PM Select Board Meeting Room

- 1. Call meeting to order and introductions
- 2. 6:30 PM Public Hearing Site Plan Review Application proposed by Halliday Properties, LLC to construct a 34-unit multi-family residential rental development along with associated site improvements at 241 Union Street (Parcel No. U029-025-000) located in the West Peterborough District. This will be a workforce housing project with 20% of the housing dedicated to workforce housing.
- 3. 6:45 PM Presentation from the Peterborough Renewable Energy Planning Committee
- 4. Rules of Procedure
- 5. Letter re: Town Counsel
- 6. Zoning Workshop Topics to include:
  - a. §245-9.2 Monadnock Community Health Care District
  - b. §245-11.1 Office District
  - c. §245-24.6 Workforce Housing
  - d. §245-44 Special Exception for Low- and Moderate-Income Housing
- 7. Adjourn



# TOWN OF

# PETERBOROUGH

OFFICE OF PLANNING & BUILDING

1 Grove Street
Peterborough, NH 03458
Tel.: 603-924-8000 x 104
Fax: 603-924-8001

Email: ocd@townofpeterborough.us Web: www.townofpeterborough.com

# **STAFF REPORT**

To: Planning Board FROM: Danica Melone

DATE OF WRITE-UP: Thursday, August 18, 2022

PROVIDED FOR MEETING DATE: Monday, August 22, 2022

RE: SITE PLAN REVIEW APPLICATION

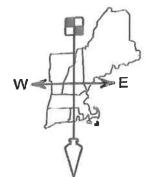
# **Town Planner Comments:**

• The plans submitted do not show a 30 ft vegetated buffer as required under §245-9.1 of the West Peterborough District regulations. This buffer cannot be waived by the Planning Board; any change would require a variance. Suggested actions:

- The Board may continue or conditionally approve the application and ask the applicant to submit plans which comply with the vegetated buffer. The Board may wish to recommend that the applicant seek stacking units (building up) in order to accommodate the 30ft vegetated buffer. The maximum building height in this District is up to 50 feet which will accommodate at least a few stories I misstated the maximum building height during this Preliminary hearing.
- The Board may continue the application and recommend that the applicant seek a variance from the required vegetated buffer.
- The Board is encouraged to make a motion on what they deem an appropriate allowable density for the
  lot for the record to reflect that this project meets compliance. Based on similar high-density projects
  and because the intent of the zoning in this District is to encourage higher density infill development, I
  do find the request of 34 units to be reasonable.
- I've requested both Chief Ed Walker (Fire and Rescue) and Chief Scott Guinard (Police) to review the proposal and provide comment on any safety or traffic concerns they may have. I will provide their comment as soon I have it available.

# Nate Brown, Superintendent of Utilities:

- Nate Brown has indicated that the Town's water and sewer is all set for adding in 34 additional units. He also noted:
  - "Are they planning on running a water main on the property? If that is the case, we would want to make sure they connect to the 8-inch water main and install a hydrant on the end of the line and a basin near it. That way when it is flushed there is somewhere for the water to go without washing anything out."



Surveying 

Engineering Land Planning + Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456 www.FieldstoneLandConsultants.com

July 11, 2022

RE:

Halliday Properties, LLC - Residential Development

241 Union Street - Peterborough, NH

Tax Map U029 Lot 025

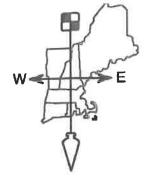
To Whom It May Concern:

The undersigned hereby authorizes Fieldstone Land Consultants, PLLC to act as their agents in filing and seeking the necessary local, state and federal approvals for the above referenced project.

Very truly yours,

Applicant/Owne

Sadie E. Halliday Date 7/11/22



206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456 www.FieldstoneLandConsultants.com

August 3, 2022

Town of Peterborough Planning Department 1 Groove Street Peterborough, NH 03458 ATTN: Ms. Danica Melone, Town Planner

RE: Halliday Properties, LLC - Workforce Housing Development - Our Town Village

241 Union Street - Tax Map Parcel U29-25

**Workforce Housing Letter** 

Dear Ms. Malone:

As agent for Halliday Properties, LLC, Fieldstone Land Consultants is hereby submitting this written statement as required per NH RSA 674:61 to notify the Town that our client intends to develop the above referenced property into a workforce housing project as allowed per the local regulations.

The project proposes to develop the site into a 34 unit workforce housing multi-family development where 20 percent of the units will be workforce housing.

Please do not hesitate to contact me should you have any questions or comments regarding this letter.

Very truly yours,

Fieldstone Land Consultants, PLLC

Chad E. Branon, P.E. Project Manager



# TOWN OF

# **PETERBOROUGH**

PLANNING BOARD

DO NOT WRITE IN THIS SPACE
File Number: ST - ZOLL ST

Date App. Rec'd 8 4 - 22

Amount Rec'd Z655.60

Clerk

# Site Plan Review Application

Office of Community Development

1 Grove Street

Peterborough, NH 03458 Office: (603) 924-8000 ext. 104

Fax: (603) 924-8001

Email: ocd@townofpeterborough.us Web Page: www.townofpeterborough.com

# Please fill out in its entirety:

Applicant: Halliday Properties, LLC - c/o Sa	adie Halliday
Address: 45 Main Street, Suite 135	
City: Peterborough	State: NH Zip: 03458
Phone: 603-660-2321 Email: sadi	ie@hallidayrealestate.com
Property Owner Name(s):*Same*  Address:	
City:       Email:	
Primary Contact: Chad E. Branon  Phone: 603-672-5456 Email: ceb  Applicant Downer DA  Project Name: Our Town Village	
Street Address: 241 Union Street	
Parcel ID Number(s): _U029-025	
Proposed Project (Please Be Specific):	
with associated site improvements. This w	
percent of the housing dedicated to workfor	TOE HOUSING.

# Zoning Districts & Overlay Districts

Zoning Districts (check all that apply):	Overlay Zones and Districts (check all that apply):
Business/Industrial District	Bulk Fuel Storage District
Commercial District	Floodplain District
Commerce Park District	Groundwater Protection Overlay Zone
Downtown Commercial District	Rural Gateway Overlay Zone
Family District	Shoreland Conservation Zone
General Residence District	Traditional Neighborhood Overlay Zone I
X Monadnock Community Health Care District	Wetland Protection Overlay Zone
Office District	
Rural District	
Village Commercial District	
X West Peterborough District	
Retirement Community District	

# Site Plan Review Application Fee

BASE APPLICATION FEE	
<ul> <li>All new applications shall be charged a fee of two hundred dollars (\$200)</li> <li>Twenty-five (\$25) per 1,000 square feet of land developed, including, but not limited to building, parking, drainage, and landscaping over 5,000 square feet of development</li> </ul>	\$ 200
<ul> <li>Abutter notification is ten dollars (\$10) per abutter</li> <li>Notification of all licensed professionals whose professional seal appears on any of the submittal documentation is ten dollars (\$10) per professional</li> </ul>	\$ 130
TOTAL APPLICATION FEE	\$ 2,655.

# **AUTHORIZED SIGNATURES**

I/We certify that this application is correctly and accurately completed in accordance with the Town of Peterborough's Zoning ordinance and the requirements of this application.

7	
Sadic G. Halliday Applicant's Name Printed	
Sadic G. Halliday  Applicant's Name Printed  Applicant's Signature	7/11/22_ Date
I, the applicant or owner's duly authorized agent, do hereby subnof the Town of Peterborough Planning Board. I agree to be fully expenses incurred with respect to this application.	nit this application to be placed on the agenda responsible for payment of all fees, costs, and
Property Owner's Signature	7/11/22_ Date
Property Owner's Signature	Date

\*\*If the application is not signed or has been changed in any manner, it will not be processed\*\*

# SITE PLAN REVIEW CHECKLIST

NOTE: This checklist is for purposes of administrative efficiency. It does not take the place of the comprehensive requirements of the Site Plan Review Regulations. The items in this checklist are considered to be the minimum required for Planning Board review. The Board reserves the right to request additional information if deemed necessary to make an informed decision. If the applicant believes that any of these submission items are not applicable to or necessary for their application, a request for a waiver shall be submitted in writing.

	ed out by licant	PLAN SUBMISSION ITEMS	To be filled out by Administration		
Submitted	Not Submitted	FLAN SUBMINISTON IZ ZAZ	Submitted	Not Submitted	Waived
		GENERAL INFORMATION:			
st.		Names & addresses of owner(s) of record; name & address of applicant, if different from owner; parcel ID number(s).			
1		2 Signature, license number, and/or seal of the preparer of the plan, if applicable, and every engineer, architect, land surveyor, and soil scientist whose professional seal appears on the plan			
/		3. Project name, description of project (including existing and proposed uses); project location, date the plan was prepared and any revision dates with notation of what the revision was; north arrow, scale of the plan.			
<b>✓</b>		Names & addresses of abutting landowners and of every holder of conservation, preservation, or agricultural restriction.			
/		5. Zoning district for the site and for abutting properties.			
V		6. Schedule of zoning requirements, (e.g., lot area, frontage, setbacks, etc.)			
		SURVEY INFORMATION:			
/		7. Lot lines for parent lot and all new lots: metes & bounds description for new lots, showing dimensions to the hundredths of a foot, bearings to at least minutes, and curve data.			
NA		Location with metes & bounds description of any new streets, pedestrian rights-of-way, reservations, easements, and areas to be dedicated to public use.			
/		9. Approximate location of driveways and/or roads to abutting properties within 200' of the site.			
/		10. Approximate location of buildings on abutting properties if within 200' of the site.			

of all applicable setbacks.  FEATURES/ENVIRONMENTAL NS:  of percolation tests and/or other test pits.  of rivers, streams, ponds, lakes, or other or bodies of water.  of Conservation Shoreland Zone Boundary.			
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of FEMA-designated floodplain and			
hy (USGS with 5' contour interval or spot site plans).			
and boundaries.			
and approximate size of open space (in acres		100	
of wooded areas, significant tree stands.			
- EXISTING AND PROPOSED:			
and width of entrances, exits and driveways.			
grades, and width of sidewalks and entrance facilities.			
and surface material of loading zones and			
width of aisles, size and number of parking urface material of parking lots.			
and height (in stories) or all buildings and any es on the site.			
size and design of water and sewer utilities, iholes			
and type of existing easements.			
	ater Protection Zone (note on plan if entire the Zone, or show boundary).  of FEMA-designated floodplain and thy (USGS with 5' contour interval or spot site plans).  and boundaries.  and approximate size of open space (in acres ).  of wooded areas, significant tree stands.  — EXISTING AND PROPOSED:  and width of entrances, exits and driveways.  grades, and width of sidewalks and entrance facilities.  and surface material of loading zones and width of aisles, size and number of parking arface material of parking lots.  and height (in stories) or all buildings and any es on the site.  size and design of water and sewer utilities, pholes	ater Protection Zone (note on plan if entire the Zone, or show boundary).  of FEMA-designated floodplain and thy (USGS with 5' contour interval or spot site plans).  and boundaries.  and approximate size of open space (in acres ).  of wooded areas, significant tree stands.  — EXISTING AND PROPOSED:  and width of entrances, exits and driveways.  grades, and width of sidewalks and entrance facilities.  and surface material of loading zones and width of aisles, size and number of parking arface material of parking lots.  and height (in stories) or all buildings and any as on the site.  size and design of water and sewer utilities, sholes	atter Protection Zone (note on plan if entire the Zone, or show boundary).  of FEMA-designated floodplain and  thy (USGS with 5' contour interval or spot site plans).  and boundaries.  and approximate size of open space (in acres ).  of wooded areas, significant tree stands.  — EXISTING AND PROPOSED:  and width of entrances, exits and driveways.  grades, and width of sidewalks and entrance facilities.  and surface material of loading zones and  width of aisles, size and number of parking urface material of parking lots.  and height (in stories) or all buildings and any as on the site.  size and design of water and sewer utilities, sholes.

/	29. Location of stone walls, architectural or historic features.		
V	30. Grades of all paved areas, direction of flow of runoff.		
<b>/</b>	31. Location and type of drainage system elements: catch basins, culverts, outfalls, etc.		
(PENDING)	32. Landscaping plan showing the location, type, and size (at time of planting) of proposed new landscaping, and any existing landscaping that will be retained; landscape detail drawings.		
V	33. Location, size and design of signage, if known.		
/	34. Location of FEMA-designated floodplain and floodway.		
/	35. Snow storage areas and/or plans for removal of snow from the area or site.		
V	36. Location of FEMA-designated floodplain and floodway.		
V	37. Temporary and permanent erosion and sedimentation control provisions for construction phase.		
V	38. Fire flow required to protect the proposed building(s); provisions for fire safety.		
/	39. Elevation views of each side of the building, addition, or alteration showing location, shape, size, height, and type of construction of new buildings or additions or alterations to existing buildings, including all mechanical equipment		
/	40. Construction details (including cross sections) of roads, driveways, parking areas, outdoor storage areas, and sidewalks.		
	OTHER INFORMATION, AS APPLICABLE:		
NA MUNICIPAL SCENCES	1. State subdivision approval for septic systems; septic design approval; or certification by septic designer of adequacy of existing system.		
NA UNDER 100 K	2. Site Specific Permit from NH Department of Environmental Services.		
✓	3. Plan for Stormwater Management and Erosion Control (See Appendix B of the Peterborough Subdivision Regulations)		
PENANG-	4.EPA Phase II approval		

PENDING	5. State/Town driveway permit.	
PENDING	6. Report from the Fire Chief, Police Chief, and/or Town Conservation Commission.	
PENDING	7. Approval for municipal water/sewer connections.	
AA	8. Any deed restrictions; and all deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights of drainage across private property, submitted in a form satisfactory to the Board's counsel	
PENDING	9. Any other local, state and/or federal permits.	
NA/ PEHONG	10. Any additional reports or studies deemed necessary by the Board to make an informed decision, including but not limited to traffic, school, fiscal and environmental impact analyses. The Board reserves the right to request such information after an application has been accepted as complete, as well as before acceptance	

# **AUTHORIZED SIGNATURES**

I/We certify that this application is correctly and accurately completed in accordance with the Town of Peterborough's Zoning ordinance and the requirements of this application.

Sadic 6. Halliday	
Applicant's Name Printed	
Sadic G. Halliday Applicant's Name Printed  Applicant's Signature	7/11/22
Applicant's Signature	Date
I, the applicant or owner's duly authorized agent, do her of the Town of Peterborough Planning Board. I agree to expenses incurred with respect to this application.	eby submit this application to be placed on the agendabe be fully responsible for payment of all fees, costs, and
20	

Property Owner's Signature

Property Owner's Signature

Date

\*\*If the application is not signed or has been changed in any manner, it will not be processed \*\*



# TOWN OF PETERBOROUGH OFFICE OF PLANNING & BUILDING

1 Grove Street Peterborough, NH 03458 Office: (603) 924-8000,104 ocd@peterboroughnh.gov

August 4, 2022

To Whom it May Concern:

Please be advised that at its meeting on **Monday**, **August 22**, **2022** beginning at 6:30 p.m. the Planning Board will hold a public hearing as follows:

**6:30 PM – Public Hearing – Site Plan Review Application** proposed by Halliday Properties, LLC to construct a 34-unit multi-family residential rental development along with associated site improvements at 241 Union Street (Parcel No. U029-025-000) located in the West Peterborough District. This will be a workforce housing project with 20% of the housing dedicated to workforce housing.

This is an in-house meeting in the Selectboard's Meeting Room in the Town Hall. You are being notified because you are an abutter to this property. An abutter is anyone who is contiguous to the property or across a street or stream from the property. As an abutter you may participate in person or by agent or counsel and be heard during the public hearing phase of the meeting.

Date: 8/3/2022

FLC#3243.00 / CDF

List of Abutters Tax Map U29 Lot Number 25 Peterborough, New Hampshire

Map U029 Lot 025 Halliday Properties, LLC 45 Main Street, Suite 135 Peterborough, NH 03458

Map U029 Lot 022 Feral Mcelreavy 17 Scott Winn Road Peterborough, NH 03458

Map U029 Lot 027 **FMF** Properties 187 Union Street Peterborough, NH 03458

Map U029 Lot 001-100 Paul R. & Diane B. Christian 442 Asbury Road Pigeon Forge, TN 37863

Map U029 Lot 024 Deblyn Stevens-Luongo Trustee Deblyn Stevens-Luongo Rev. LIV Trust 11 Scott Winn Road Peterborough, NH 03458

Map U029 Lot 018 Christopher M. & Francee L. Watson 186 MacDowell Road Peterborough, NH 03458

Map U029 Lot 027-001 Donald H. Fritz 187 Union Street Peterborough, NH 03458

Map U029 Lot 002 Briggs RD Trust c/o David Wilder 1778 Walden Court Englewood, FL 34224

Map U029 Lot 023 Jessica L. Weeks 13 Scott Winn Road Peterborough, NH 03458

Map U029 Lot 018-001 Craig L. Munger 170 MacDowell Road Peterborough, NH 03458

Map U029 Lot 026 John W. Schultz 233 Union Street Peterborough, NH 03458

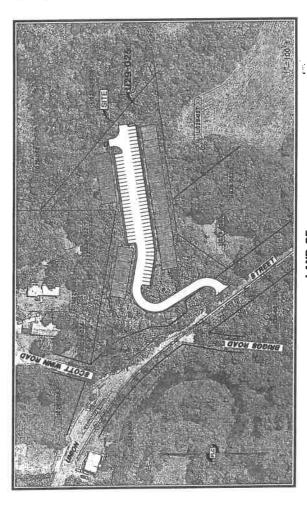
Map U029 Lot 008 Brian A. Akerley 8 Scott Winn Road Peterborough, NH 03458

Engineer: Fieldstone Land Consultants, PLLC 206 Elm Street Milford, NH 03055

# MULTI-FAMILY RESIDENTIAL DEVELOPMENT SITE PLAN

TAX MAP PARCEL U29-025 - 241 UNION STREET PETERBOROUGH, NEW HAMPSHIRE

AUGUST 3, 2022



SHEET INDEX

# HALLIDAY PROPERTIES, LLC 45 MAIN STREET. SUITE 135 PETERBOROUGH. NH 03458

SADIE E. HALLIDAY
135 JARMANY HILL ROAD
SHARON, NH 03458





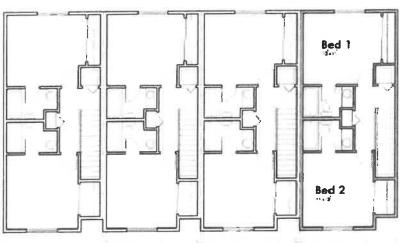
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:No	CERTIFIED BY
CHAIRMAN	UNA
SECRETARY	

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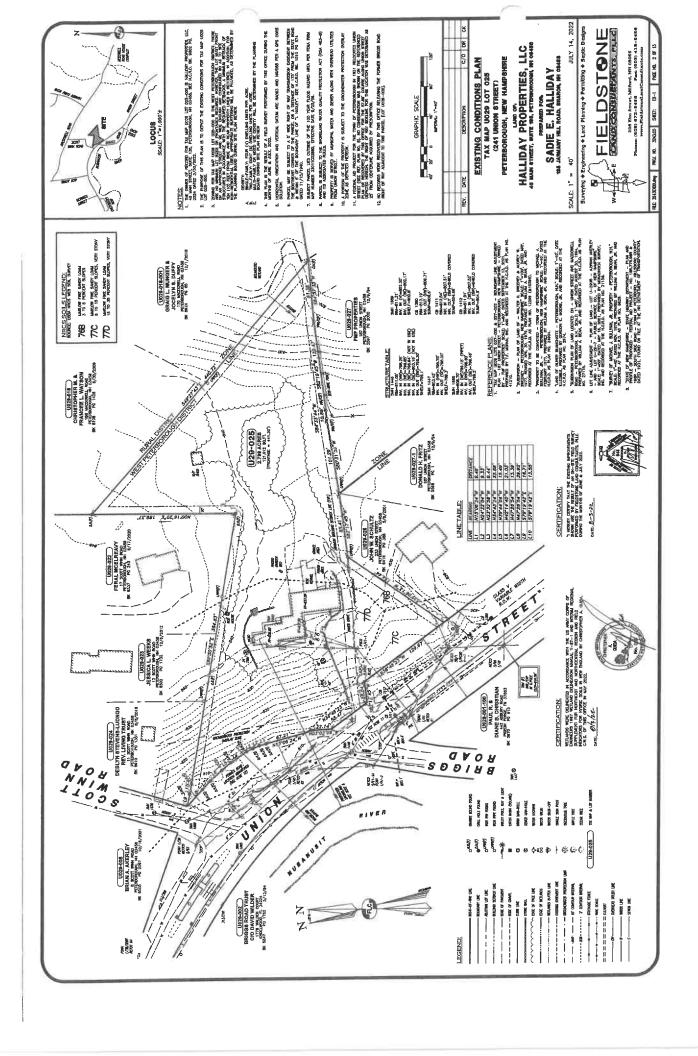


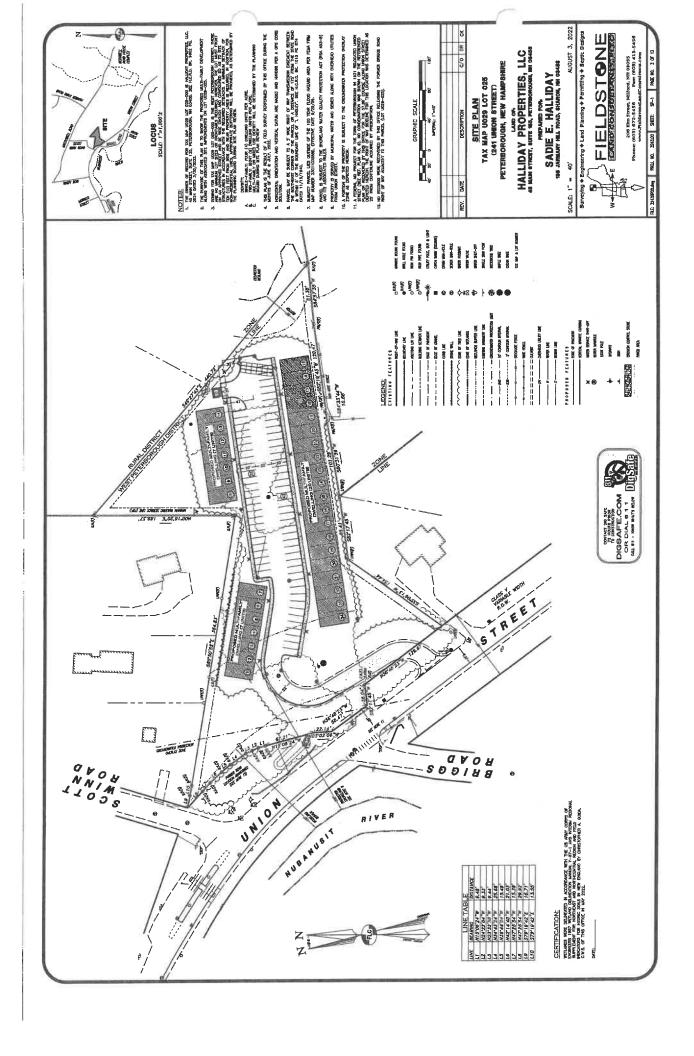


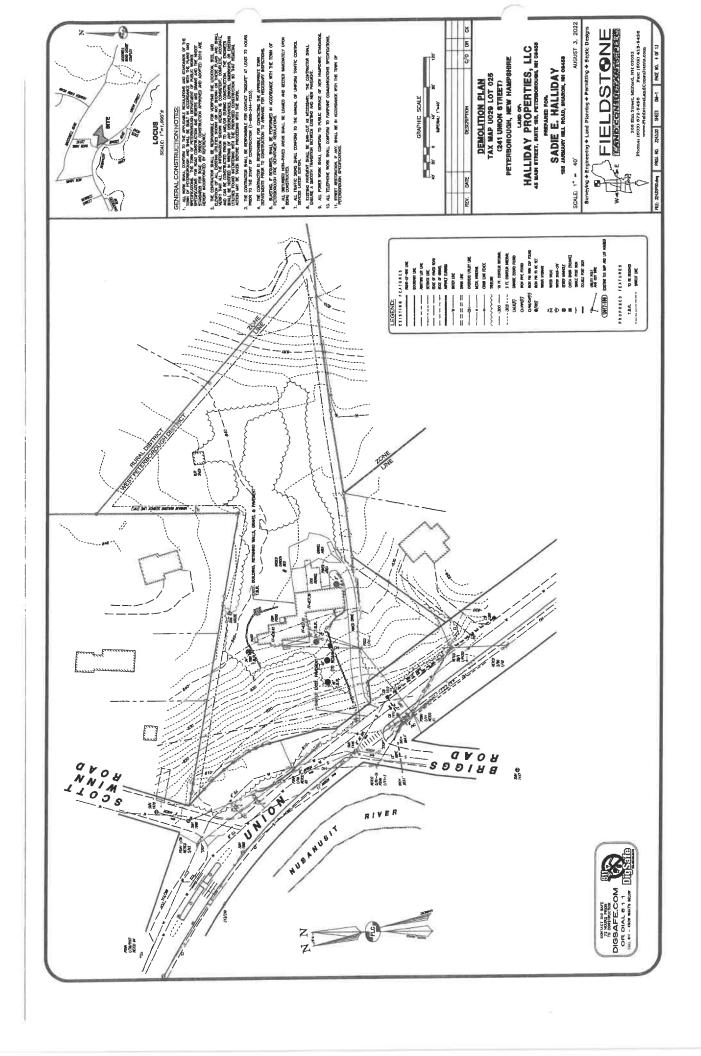
Plan F-615 Printable Flyer (/assets/plans/758/four plex town house plan double master flier f-615.pdf)

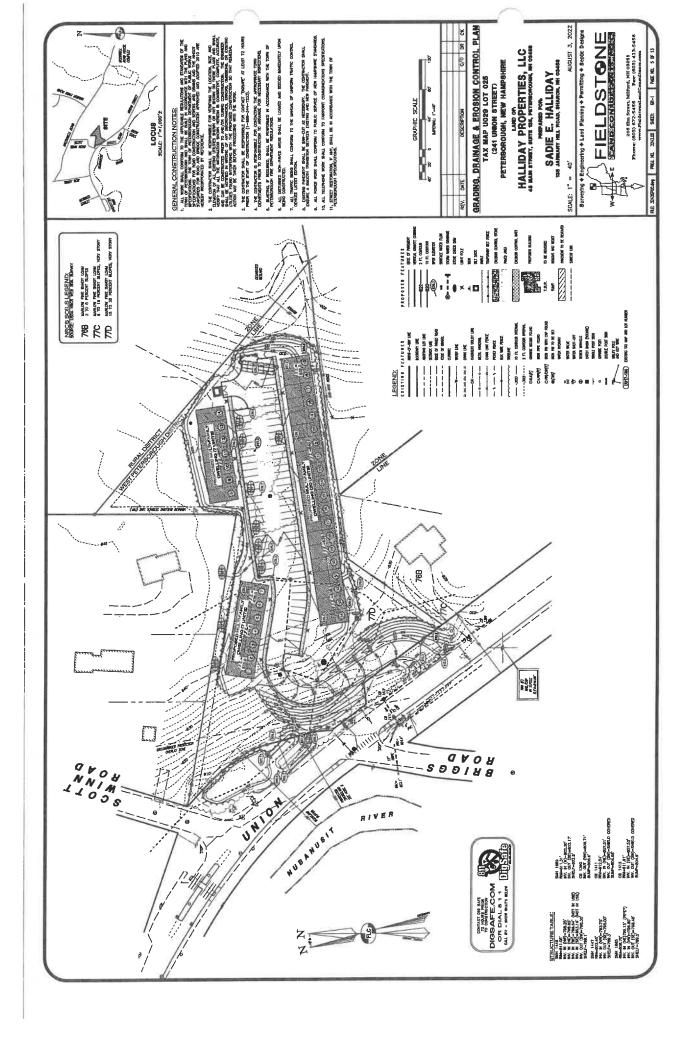
Total sq. ft.: 1,005 Upper Floor sq. ft: 527 Main Floor sq. ft: 478 2 Bedrooms: Bathrooms: 2.5 Garage Stalls: 0 64' 0" Width: 38' 0" Depth: Ridge Height: 28' 3"

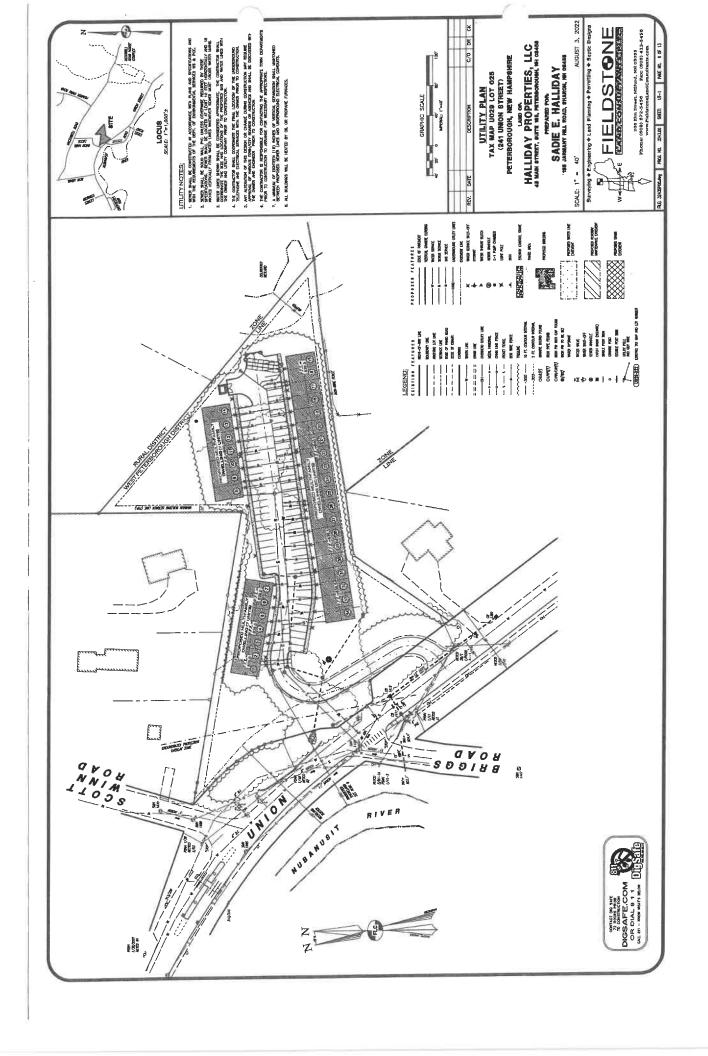
Foundations Available: Crawlspace, Slab

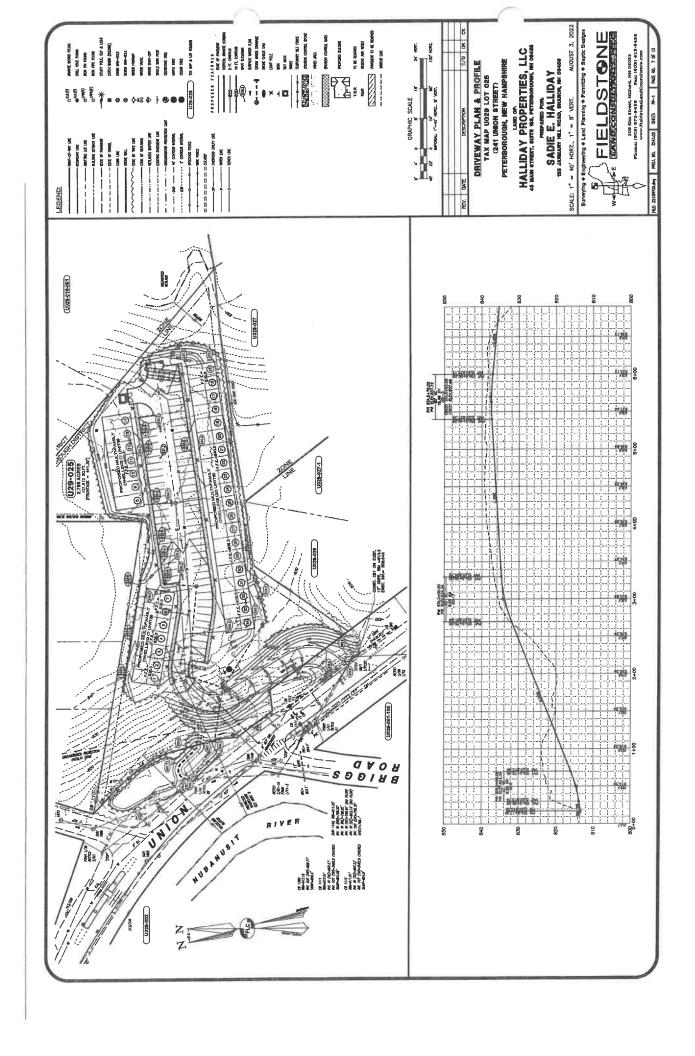


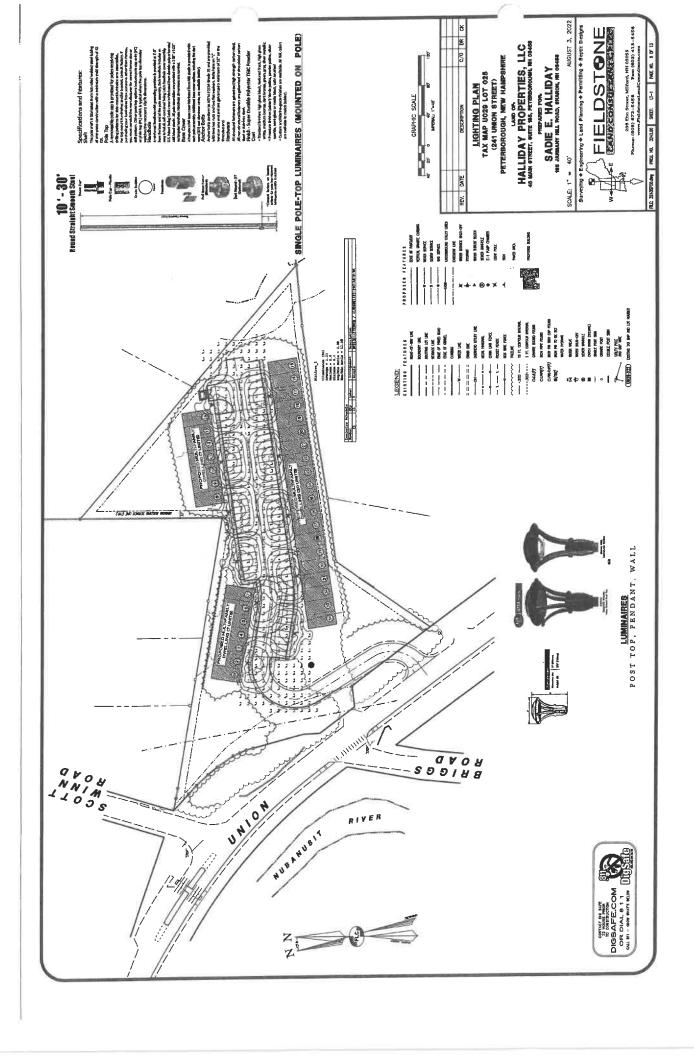














- THE CONTRACTOR BHALL CONTACT TAGASPE? 72 HOURS PRIOR TO THE BTART OF CONSTITUCTION (1409-266-877 IN INI. 1486-344-722) IN MAI.
- OOMPLANCE WITH ALL APPLICABLE REGOLATIONS AND SPECIAL CONDITIONS OF TOWNINTY ASSISTANCES SUCH AS THE PLANCES DOWNED THOSE TOWNS DEADLE COMMUNICATION COMMISSION, AND OTHERS, IS MANAGENET WITH THE RESPONSEMENT OF THE OWNER.
- - GENERAL CONSTRUCTION NOTES

All distribution material frotuding maters, fittings, and valves to mast applicable Marv I PEB-DWORD Town of Petroprough Specifications, and Arnadoen Vehics Victors and Contident (MWMX) standards, as employable.

All immaterition of material to conform to applicable Town of Peterborough 8 and AWMA standards for politible weber systems.

i.Ali valvas, faves, bende, fire tyddemis, and their related joints to be properly restrait opproved "till ega-Lug", "Grip-Ring", or equal, retainer litte.

Gate valves sixel be installed at locations shown on the Project Plans. All gate valves AAD First observe has a selection of Peterborough Beadfordons.

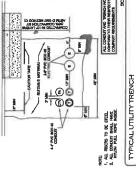
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An As-bull Plan shall be provided showing the constructed scatters and my field adjustments, and dijutments must be approved by the Engineer and the Town of Pelesborough Weter and dijutments.





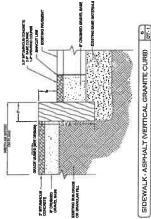
PAVEMENT MATCH

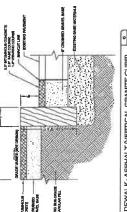


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TOP LEVEL FAME LANDING LANDING

SECTION CC



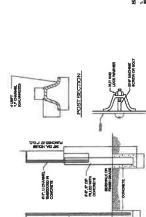


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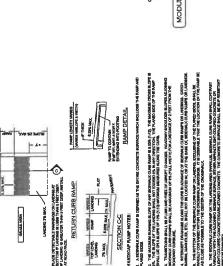
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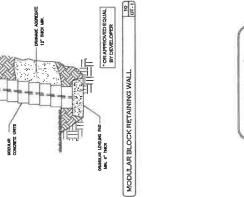
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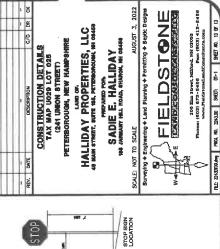
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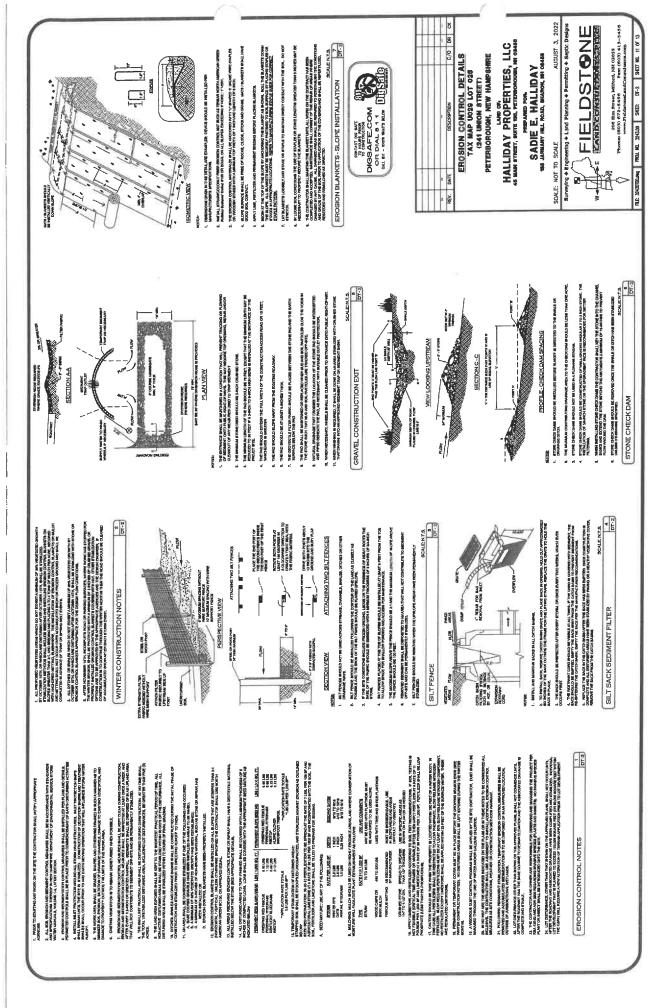
SIGN POST - STANDARD & W/BOLLARD

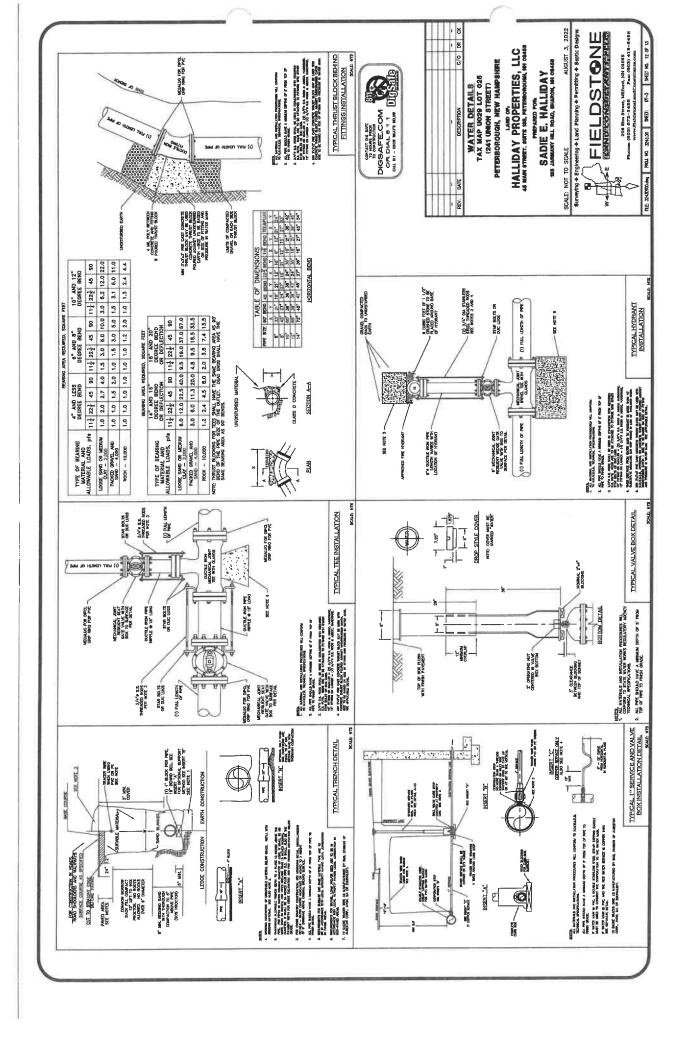
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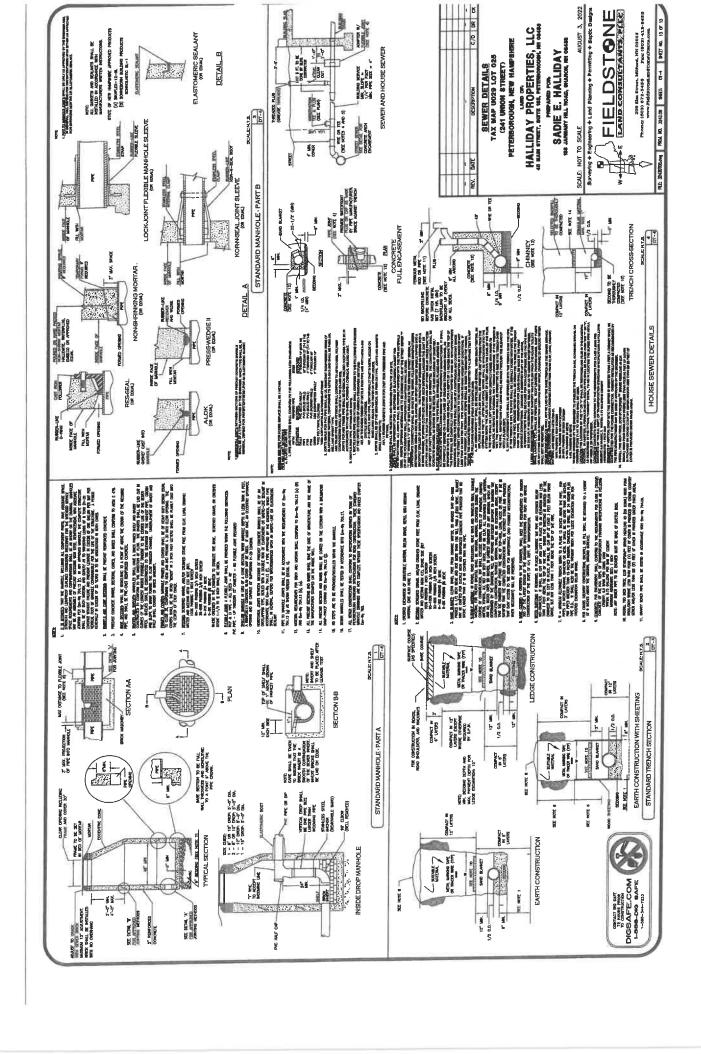
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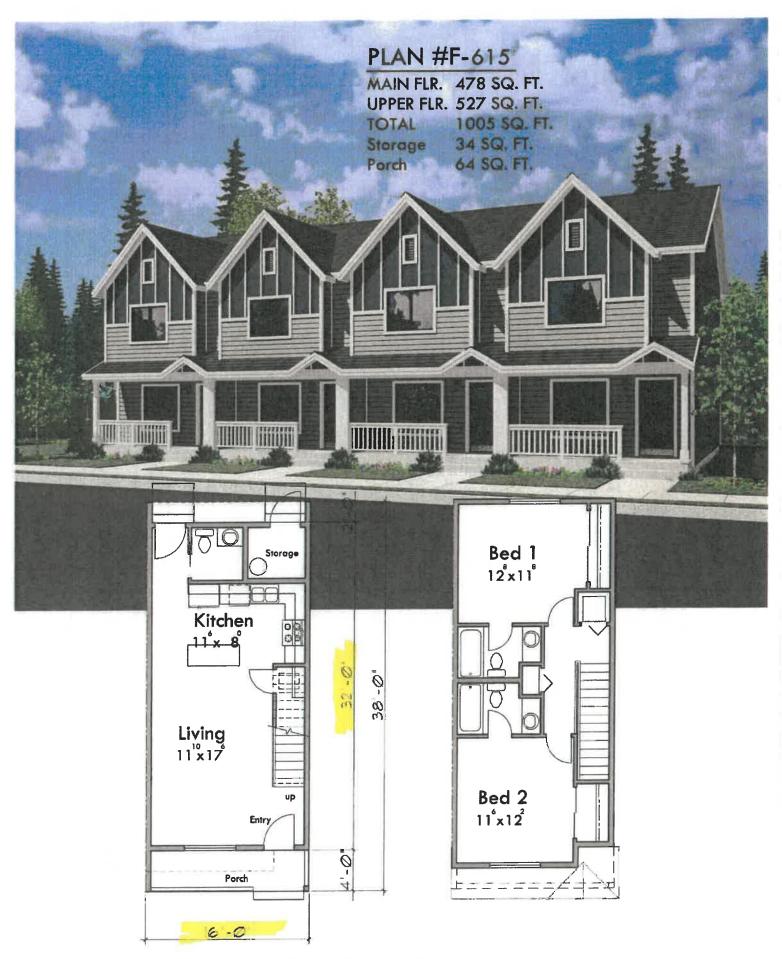
EXETTING PAYELES

AUEN PARSAGA









www.houseplans.pro by Bruinier & associates, inc. building designers @ 1304 SW Bertha Blvd. Portland, Oregon 97219 (503-246-3022)

Search

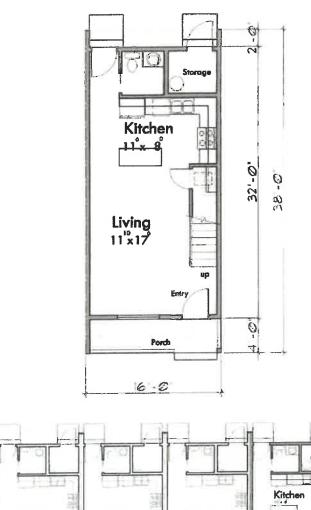
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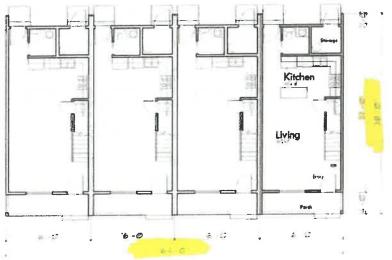
Duplex Plans (/plans/type/3)	
3 & 4 Piex (/plans/type/12)	
5+ Units (/plans/typs/13)	
House Plans (/plans/type/1)	
Garage Plans (/plans/type/5)	
About Us (/company)	
Sample Plan (/olans/olan/bid)	

Four Plex House Plan: 2 Master Bedrooms and a Porch F-615

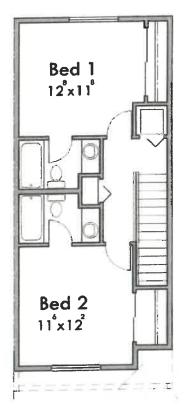


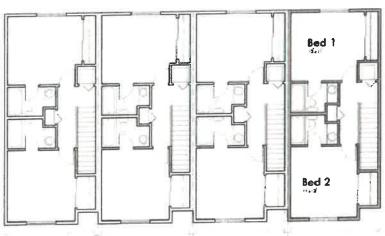
Main Floor Plan





Upper Floor Plan





# Plan F-615 Printable Fiver (/assets/plans/758/four plex town house plan double master flier t-615.pdf)

1,005 Total sq. ft.: Upper Floor sq. ft: 527 478 Main Floor sq. ft: Bedrooms: 2.5 Bathrooms: 0 Garage Stalls: 64' 0" Width: 38' 0" Depth: 28' 3" Ridge Height:

Foundations Available: Crawlspace, Slab

# **BUYING OPTIONS**

# PETERBOROUGH PLANNING BOARD

# RULES OF PROCEDURE

# I. MEMBERS & ALTERNATES

- (A) The Peterborough Planning Board ("the Board") shall consist of seven members, who shall be elected in accordance with RSA 673:2 & 669:17. One of the seven is an ex officio, representing the Board of Selectmen. The Selectmen's representative is a full voting member of the Planning Board.
- (B) Except for the Selectmen's representative, members shall be elected for three-year terms, with no more than three members standing for election in any given year. Terms of office shall commence at the first regular Planning Board meeting after the annual Town Meeting. The term of the Selectmen's representative shall coincide with the term of that office.
- (C) At its first regular meeting following the annual Town Meeting, the Board shall elect from among its members a Chairman and a Vice-Chairman. These officers shall serve for one year. The Selectmen's representative may not serve as Chairman.
- (D) The Board may appoint up to five alternate members for a term of three years each.
- (E) Vacancies in the Board (other than the Selectmen's representative) shall be filled by the remaining Board members until the next regular election at which time a successor shall be elected to either fill the unexpired term or start a new term, as appropriate.

# II. DUTIES OF OFFICERS

- (A) The Chairman shall preside over meetings and shall be responsible for the conduct and decorum of the meeting. The Chairman shall ensure that all parties receive a full and fair hearing before the Board.
- (B) Whenever the Chairman is absent or disqualified to act in a particular case, the duties of chairman shall be performed by the Vice-Chairman, or another member designated by the Board.
- (C) When feasible, the member that serves as Chair for an initial application shall continue to serve as Chair until the application has been acted on.

# III. MEETINGS

(A) For the purpose of this section, a "meeting" means the convening of a quorum of the board, whether in person, by means of telephone or electronic communication, email, or

in any other manner such that all participating members are able to communicate with each other contemporaneously, for the purpose of discussing or acting upon a matter or matters over which the Board has jurisdiction. This does not include chance meetings, meetings convened by other boards, committees, or entities at which a quorum of the Planning Board finds itself present, or social meetings, provided no board business is discussed, nor decisions made.

- (1) E-Mail: Board members may use E-mail to schedule and confirm meetings, to circulate draft documents that will be presented at public meetings, or to correspond with the Office of Community Development Planning & Building regarding working documents, agenda items or other administrative business. Official business¹ should not be conducted by E-mail. Such a discussion would be in violation of the Right-to-Know Law. E-mail correspondence may be subject to disclosure as "public documents."
- (B) A quorum of the Board is required in order to transact any business. Four (4) members constitute a quorum of the Planning Board.
- (C) Regular meetings of the Board are held at -7 6:30 P. M. on the second Monday of each month at the Town House.
- (D) In the event a regular member is absent or disqualified, the Chairman shall designate an alternate to act in the absent member's place. Except that an absent *ex officio* member can only be replaced by another Selectman. Alternate members' voting privileges will be announced at each meeting by the Chair. Alternate members are encouraged to participate in all Board meetings.
- (E) Special meetings of the Board shall be held at the call of the Chairman, or by request of a majority of the members. Special meetings do not require a quorum, unless a vote is to be taken. Special meetings will be posted for: (1) informal public input, or (2) a Planning Board Workshop.
  - (1) The purpose of workshops is for the full Board to conduct its work in preparation for presentation to the public, or for work groups of members to present to the full Board.
  - While the public is always welcome to attend, input is only by invitation from the Chair or the work group. Since workshops typically do not need to meet the same public notification requirements as a public hearing, the Board must be careful to not allow undue influence into the process from those that attend workshops over those who only attend the public hearings.
  - (3) Input can be taken if the work group or Board sees fit, or it may feel the time allowed for the workshop does not provide adequate time for the group to conduct its work and take public input at the same meeting. (The public has full voice at Public Hearings after due notice.)
  - (4) Therefore, the general rule of thumb is that the work group or Board will conduct its business first and then if time allows, open the meeting to public input. The members will take the input under advisement and will not engage in debate.
- (F) Policy on Audio or Video Recording of Meetings. In accordance with RSA 91-A:2

any person is permitted to use recording devices at meetings of the ZBA, including but not limited to tape recorders, cameras, and video tape equipment. Should the ZBA record its meetings, the following guidelines shall be followed:

- (1) The Chair will announce at the beginning of the meeting that it will be recorded and ask all members of the public to clearly identify themselves prior to making any statements.
- (2) The recording will be kept by the Office of Planning and Building. Following a request, staff has up to five business days to provide the copy.
- (3) In the review of minutes by the Board, if there is a discrepancy or difference of opinion about a substantive matter in the draft written minutes, the Board may use the recording for clarification.
- (4) The purpose of the recording is to assist the minute-taker in preparing accurate minutes. Minutes are not the transcriptions of the recording.
- (5) The recording of any meeting will be preserved at least through the 30-day appeal period and until the minutes of that meeting are approved by the Board, after which the recording will be deleted.

# (G) NOTIFICATION

- (1) Notice of all special meetings, of the omission of any regular meeting, and of any change in the time or place of a regular meeting shall be posted in the following manner:
  - At the Office of Community Development Planning & Building
  - On the Community Bulletin Board in the Town House
  - At the Town Library
- (2) Regular meetings and special meetings require a 24-hour notice, although in most cases these notices will be posted well in advance of that.
- (H) Public Hearings on development applications, Master Plans, or any land use regulations are held at the regular meeting on the second Monday of the month, or unless otherwise scheduled by the Board. Notices of public hearings are posted in the same manner as in paragraph E above, as well as a notice in the Town's official newspaper of record. Public hearings require a 10-day notification, not counting the day the notice appears or the day of the hearing. If more than one public hearing is held on a zoning ordinance or amendment, there must be 14 days between the last and the next hearing.
- (I) All meetings are open to the public except those that fall within RSA 91-A: 3 for nonpublic sessions. At public meetings any person is permitted to be present, and to record the meeting, but is not allowed to speak unless recognized by the Chair. Public hearings, on the other hand, are for the purpose of receiving testimony from the public.

<sup>&</sup>lt;sup>1</sup> For the purposes of this document, "official business" means taking votes or engaging in discussions that pertain to formal applications. This does not preclude emails between the Board and OCD regarding agenda items.

# IV. CONDUCT OF PUBLICHEARINGS.

Public Hearings shall be governed by the following rules and order of business:

- (A) Hearings on Development Applications
  - (1) Announcement of Application
  - (2) Presentation of Application
  - (3) Questions from the Chair
  - (4) Questions from the Board
  - (5) Public Input: Questions and Comments should be directed to the Chair. There shall be no debate between the audience and the applicant or other audience members.
  - (6) Closing of Public Hearing
  - (7) Announcement of Time and Place of Board Deliberation
  - (8) Deliberation Session:
    - No public input will be taken.
    - Questions from the Board may be directed to the applicant or the public.
    - Comments from Board
    - Call for Motion, Vote taken
- (B) Hearings on Zoning Amendments, Master Plans, Land Use Regulations
  - (1) Announcement of the amendments, plan or regulation
  - (2) Call for public comment or questions
  - (3) Announcement of Time and Place of Board Deliberation,
  - (4) Deliberative Session same as above

In no case does the Board intend to engage either the applicant or the public in debate.

# V. RECORDS/NOTICE OF DECISION

- (A) The record of all Board proceedings shall be kept by the OCD Office of Planning & Building Administrative Assistant and be available for public inspection.
- (B) Minutes of all meetings and hearings and any decisions made will be available for public inspection in the Office of Community Development Planning & Building within 144 hours of the meeting.
- (C) All decisions will be in writing and provided to the applicant within 144 hours of the meeting at which the decision was made.

# VI. JOINT MEETINGS AND HEARINGS

- (A) The Planning Board may hold joint meetings and hearings with other land use boards, such as the Board of Adjustment. Each board shall have discretion whether or not to hold such joint meeting or hearing (RSA 676:2).
- (B) Joint business meetings with another local land use board may be held at any time when called jointly by the chair of the two boards.
- (C) 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.

- (D) The Planning Board chair shall chair all joint meetings and public hearings when the subject matter involves the Planning Board.
- (E) Procedures for joint meetings or hearings are consistent with those followed by the respective boards. Each board is responsible for rendering a decision on the subject matter within its jurisdiction.

### VI. SITE VISITS

- (A) A Site Visit is a visit by the Board, or by one or more members of the Board, together with the applicant or the applicant's agent, to a location, which is the subject of an application before the Board.
- (B) When the Board schedules a Site Visit for the Board membership, it shall be posted as a meeting of the Board in accordance with RSA 91-A, and minutes must be taken.
- (C) By signing the application form for subdivision or site plan review, the applicant agrees to allow the Board or its designee on the subject property. If such a request is not granted, the application may be denied by majority vote of the Board without further hearings.
- (D) In the event that any members of the public are present at the Site Visit, public input, comments and questions may not be taken if, in the opinion of the Chair, hearing will be difficult by anyone in attendance.

#### VII. GRIEVANCE PROCEDURES

- (A) Any person not satisfied with the manner in which the Board conducts its business should follow the following procedure to obtain resolution:
  - (1) Meet with the subject of grievance in person to discuss and listen. Both parties must be heard. If satisfaction is not obtained:
  - (2) Arrange for meeting with subject of grievance and Director of Community Development Planning & Building, to discuss and listen. Both parties must be heard. If satisfaction is not obtained:
  - (3) Arrange for meeting with subject of grievance, Director of Community Development Planning & Building, and Board of Selectmen in Executive Session, per RSA 91-A. If satisfaction is not obtained:
  - (4) If the subject of the grievance is an appointed volunteer, the aggrieved party may seek the removal of the elected volunteer through RSA 673:13.
- (B) In any event, the publishing of letters or articles or skipping these steps is discouraged, so as to maintain the dignity of all parties.

## VIII. STANDARDS OF CONDUCT

- (A) The primary obligation of the Planning Board is to serve the public interest, and members should conduct themselves so as to maintain public confidence in the Planning Board and the conduct of its business.
- (B) To avoid conflict of interest or the appearance of any impropriety, a member having a personal interest, financial or otherwise, in any application before the Board shall be disqualified from participating in the consideration or decision on that application. "Personal interest" shall include, without limitation, being a relative of an applicant or being the owner or lessee of property abutting the property that is the subject of an application. [See RSA 673:14]
- (C) Any member who demonstrates bias for or against an applicant or application will be disqualified by a vote of the members.
- (D) Board members are not required to be disqualified in matters of zoning amendments, adopting of Master Plan amendments, or other study documents adopted for the Town, so they may represent their constituents.

# IX. SUBMITTAL OF ORDINANCE/REGULATION CHANGES

Because of concerns about the timing for public hearings relative to zoning amendments, the Board will follow these procedures<sup>2</sup>:

(A) Anyone wishing to submit proposals to the Planning Board for amendments to any of the Land Use Regulations must do so no later than the October regulatory meeting.

<sup>&</sup>lt;sup>2</sup> Final proposals must be submitted to the Town Clerk by the fifth Tuesday prior to Town Meeting. Generally this means that the last week in January or the first of February is the deadline for public hearings. Furthermore, hearings on zoning amendments require a full 14 days between hearings.

- (B) The OCD Office of Planning & Building will review the proposals and provide a written report to the Board at the November regulatory meeting. The Board will vote on which, if any, proposals to support, and schedule the public hearings. (Note that a second public hearing is required only if there are substantive changes to the proposal.)
- (C) Petitions to amend the zoning ordinance must be submitted to the Selectmen no earlier than 120 days, and no later than 90 days prior to Town Meeting. Upon receipt, the Selectmen will submit the petition(s) to the Planning Board at the next regular meeting of the Board, at which time a public hearing on the petition(s) will be scheduled. At that public hearing, the Board will vote whether to support or not support the petition(s).
- (D) When amendments to the zoning ordinance are proposed, the Chair shall assign each proposal to a planning board member(s) who shall be responsible for overseeing that amendment through the process. That member(s) will work with the OCD Office of Planning & Building Director in the drafting of language and the preparation for workshops, public hearing(s) on that amendment. The posting of any proposed amendments will include the name of the steward(s) of each proposal. The steward(s) will describe the intent of the amendment and provide a general overview to inform the public. OCD Office of Planning & Building staff will provide technical support for the steward(s).

# X. REQUIRED READING

All members are required to have read the most current:

- Peterborough Land Use Regulations
- Peterborough Planning Board Rules of Procedure
- Peterborough Master Plan
- Minutes of Peterborough Planning Board Meetings
- Riggins Rules
- ♦ The Peterson Rules of Civility
- The Planning Board in New Hampshire: A Handbook for Local Officials

# XI. AMENDMENTS

These Rules of Procedure may be amended after public hearing by a majority vote of the Planning Board.

Adopted by the Planning Board June 9, 2003 Amended July 14, 2003 Amended August 9, 2004 Amended November 14, 2005 Amended June 12, 2006 Amended XXXX, 2022