

HISTORIC DISTRICT COMMISSION

Article 1202: RULES OF PROCEDURE

(Recorded 02/24/86; Amended 04/12/2006, 10/09/07)

1202.1 AUTHORITY

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

1202.2 OFFICERS

- A.** The chairman, vice chairman, and secretary shall be elected by a majority vote of the Commission annually by the Commission from the members at the next regularly scheduled meeting following the annual Town Meeting. Each officer shall serve for one year and shall be eligible for re-election. The chairman shall preside over all meetings and hearings, appoint such committees as directed by the Commission and shall affix his/her signature in the name of the Commission.
- B.** The vice-chairman shall preside in the absence of the chairman and shall have the full powers of the chairman on matters which come before the Commission during the absence of the chairman.
- C.** The secretary shall maintain a record of all meetings, transactions, and findings of the Commission and perform such other duties as the Commission may direct by resolution.

1202.3 MEETINGS

- A.** All meetings are open to the public, and records will be maintained in accordance with RSA 91-A.
- B. Regular Meetings.** Regular meetings shall be held at the Town Hall at 7:00 p.m. on the second Tuesday of each month unless this causes a conflict or is a legal holiday, in which case the Commission will meet by written notice posted in two public places at least 24 hours before the meeting date. (Amended 04/12/2006, Amended 10/09/07))
- C. Other Meetings.** Other meetings may be held on call of the

chairman:

1. If in the opinion of the Commission speedy action on an application will not diminish the rights of others;
2. Provided public notice and notice to each member is given at least 24 hours, excluding Sundays and legal holidays, prior to such meetings.

D. Quorum. A quorum for regular business shall consist of a majority (4) of the Commission's members.

E. Order of Business. The order of business for regular meetings shall be as follows:

1. Roll call by the secretary
2. Approval of minutes of previous meeting
3. New business
4. Unfinished business
5. Public Hearings (if any)
6. Communications and miscellaneous business
7. Adjournment

1202.4 MINUTES AND RECORDS

At a minimum minutes and records of decisions shall be filed with the Town Clerk and shall be open for public inspection during the regular business hours of the Town Clerk's office. Minutes of all meetings, including names of members, person appearing before the Commission, a brief description of the subject matters discussed and final decisions, shall be recorded and available for public inspection within 144 hours of the meetings. (Amended 4/12/2006, 08/2007)

1202.5 APPLICATIONS FOR CERTIFICATES OF APPROVAL

A. Each Application for a Certificate of Approval shall be made on forms provided by the Commission, obtained from the Chairman or the Selectmen's office, and shall be presented to the Chairman of the Historic District Commission, who shall record the date of receipt over his/her signature. Included with the applications will be such site plans, drawings, photographs, etc., as will be needed by the Commission in making its decision. At the beginning of each meeting, the Chairman shall present to the Commission all applications previously received.

- B.** The Commission shall not accept applications improperly completed. No application shall be deemed filed until accepted by the Commission. Filed Applications will be considered at the next regularly scheduled meeting. Owners are encouraged to be present when their applications are considered.
- C.** The Commission shall decide all cases within 45 days after the date of filing as determined by the Commission. The Commission may decide that an application is of no interest and will so notify the owner.
- D.** Notification of the decision shall be made within 72 hours on a form provided by the Commission. Certificates of Approval may be picked up in the Selectmen's office when the building permit is completed. Certificates of Denial will be sent by certified mail to the applicant. Copies of all Certificates of Approval and Denial will be kept in the Selectmen's office, as well as in the Historic District Commission files. The Commission may include on a Certificate of Approval recommendations respecting the proposed changes or conditions which must be met in the construction, alteration, moving or demolition.

1202.6 FORMS

All forms and revisions thereof shall be adopted by resolution of the Commission and shall become part of these rules.

- A. Notice of Regular Meetings.** Notice and agenda of regular meetings shall be posted in two public places at least 24 hours before the date of each regular meeting of the Commission. (Amended 04/12/2006)
- B. Notice of Special Meetings.** Notice and agenda of special meetings shall be posted in two public places at least 24 hours, excluding Sundays and legal holidays, in advance of the meeting. (Amended 04/12/2006)
- C. Public Hearings.** Public notice of public hearings on any application shall be published in the local paper and shall be posted at the Town Hall and in two other public places at least ten (10) calendar days before the date of the hearing. Such

notice shall include the name of the applicant, description of property (including tax map identification), action desired by the applicant, pertinent provision of the Historic District Ordinance and Regulations, the type of application being made, and the date, time and place of the hearing.

- D. Personal Notice.** Personal notice of public hearings shall be made by certified mail, return receipt requested, to the applicant and all abutters to the applicants property. Notice shall also be given to the Planning Board, Town Clerk, and other parties deemed by the Commission to have special interest. Notice shall contain the same information as the public notice and shall be made on forms provided for this purpose.

1202.7 PUBLIC HEARINGS

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

- A.** The Chairman shall call the meeting to order and call for the secretary's report on the first application for Certificate of Approval.
- B.** The secretary shall read the application and report on the manner in which public notice and personal notice were given.
- C.** The applicant shall be called to present his case and those appearing in favor of the application shall be allowed to speak.
- D.** Those opposed to the application shall be allowed to speak.
- E.** The applicant and those in favor shall be allowed to speak in rebuttal.
- F.** Those in opposition to the application shall be allowed to speak in rebuttal.
- G.** The chairman shall present a summary setting forth the facts of the application and the claims made for each side.
- H.** Members of the Commission may ask questions at any

point during testimony.

- I. A member wishing to testify or comment shall not do so as a member but shall testify as any other person.
- J. Any member of the Commission, through the chairman, may request any party to reappear.
- K. Each person who appears shall be required to state his name and address and indicate whether he/she is a party to the application or an agent or counsel of a part to the application.
- L. Any party who desires to ask a question of another party must do so through the chairman.
- M. The hearing shall be declared closed and the matter discussed by the Commission and voted upon.

1207.8 AMENDMENT

These rules may be amended by a majority vote of the members of the Commission. Copies of the amended Rules of Procedure shall be filed with the Town Clerk, the Board of Selectmen, the Board of Adjustment and the Planning Board.

date: May 1978
rev: May 1983
rev: Feb 1985
rev: Dec 1985