



**PLANNING BOARD  
RULES OF PROCEDURE**

## **ARTICLE 1. NAME**

The name of the public body is the Laconia Planning Board (hereinafter referred to as the "Board").

## **ARTICLE 2. AUTHORITY AND DUTIES**

The authority and duties of the Board shall comply with all provisions of the New Hampshire Revised Statutes Annotated (RSA), Chapters 671-677, as exists or may be amended, and the Laconia City Code, Chapters 63 and 235, as exists or may be amended.

## **ARTICLE 3. MEMBERSHIP**

### **A. Regular Members**

The Board shall consist of nine (9) regular members comprised as follows:

- 1) One (1) designee of the City Manager, to be appointed by the City Manager and approved by the City Council as an ex officio member;
- 2) One (1) administrative official of the City to be appointed by the City Manager as an ex officio member;
- 3) One (1) City Councilor who shall be appointed by the City Council as an ex officio member; and
- 4) Six (6) Laconia residents as appointed by the City Council.

Regular members must attend each meeting of the Board to exercise their duties and responsibilities in accordance with all applicable Federal, State, and City laws and regulations. The term for all regular members shall be three (3) years, except for the Council member, which shall be two (2) years. Each newly appointed and re-appointed member shall be sworn in and take an oath of office as required by RSA 42:1.

### **B. Alternate Members**

The Board shall also consist of no more than three (3) alternate members to be appointed by the City Council. The term for all alternate members shall be three (3) years. Each newly appointed and re-appointed alternate member shall be sworn in and take an oath of office as required by RSA 42:1. After being seated by the Chair, alternate members will exercise their duties and responsibilities in accordance with all applicable Federal, State, and City laws and regulations. Alternate members may only be seated by the Chair if a regular member is absent or recused. Once a regular member arrives or is no longer recused, the alternate shall be unseated by the Chair.

At Planning Board meetings, alternates who are not activated to fill the seat of an absent or recused member or who have not been appointed by the Chair to temporarily fill the unexpired term of a vacancy, may participate with the Board in a limited capacity. During a public hearing, alternates may sit at the table with the regular members and may view documents, listen to testimony, and actively participate and interact with other Board members, the applicant, abutters, and the public. However, they shall not be allowed to make or second motions and shall not vote on any item.

During work sessions or portions of meetings that do not include a public hearing, alternates may fully participate, exclusive of any motions or votes that may be made. At all times, the chair shall fully inform the public of the status of any alternate present and identify the members who shall be voting on the application.

## **ARTICLE 4. OFFICERS AND STAFFING**

As provided in Chapter 63, §6 of the Laconia City Code, the Board shall elect a Chairperson, Vice Chairperson, and Secretary annually, who shall perform the following duties:

### **A. Chairperson**

Presides 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 including, but not limited to:

- 1) Meeting monthly with the Planning Director to review and establish agendas for Planning Board meetings;
- 2) Acting as Planning Board representative in meetings with the City Manager, Mayor, and/or City Council, to include subcommittees, as requested;
- 3) Calling special meetings of the Planning Board as necessary;
- 4) Appointing subcommittees of the Planning Board as necessary;
- 5) Signing plans reviewed by staff and approved by the Board for record purposes.

The Chairperson shall have the authority to vote only in the event of a tie vote by the Board.

### **B. Vice Chairperson**

Acts to fulfill the Chairperson's duties in the event of illness, absence, or recusal of the Chairperson. When serving as the Chairperson, the Vice Chairperson shall have the authority to vote only in the event of a tie vote by the Board.

### **C. Secretary**

Acts to fulfill the Chairperson's duties in the event of illness, absence, or recusal of the Chairperson and Vice Chairperson. When serving as the Chairperson, the Secretary shall have the authority to vote only in the event of a tie vote by the Board.

### **D. Elections**

Board elections shall be by a majority vote of the regular members of the Board. Elections shall take place at the July meeting.

## **ARTICLE 5. MEETINGS AND CONDUCT OF BUSINESS**

### **A. Time and Date**

Meetings of the Board are held on the first Tuesday of each month (except for holidays). All meetings of the full Board will commence at 6:30 PM, and no new business will begin after 9:00 PM without a motion and vote by the Board to allow the meeting to continue for a specific amount of time. If that time is exceeded, another motion and vote is required to continue the meeting again for a specific amount of time. All meetings shall be held in Conference Room 200A, at City Hall unless an alternate location is noticed in accordance with RSA 676:4.

**B. Notice**

Notice shall be made by certified mail to the applicant, all abutters, and any professional whose seal appears on any plat not less than ten (10) days prior to the date fixed for submission of the application to the Board.

**C. Special Meetings and Non-Public Sessions**

Special meetings such as work sessions may be called by the Chairperson or, in his/her absence, by the Vice Chairperson, or at the request of three members of the Board, provided that notice is made to each member and the public at least 48 hours in advance of the time of such meeting. The notice shall specify the purpose of the meeting. Nonpublic sessions shall be held only in accordance with RSA 91-A:3.

**D. Monthly Meetings**

Monthly meetings of the Board shall follow a standard meeting format and shall provide an opportunity for the Board to conduct regular business sessions for both current and long-range planning. Current and long-range planning and hearings may be conducted in a single meeting or at separate meetings according to the Chairperson's preference.

The order and appearance of specific items or applications on the agenda shall be as follows:

- 1) Call to Order
- 2) Roll Call
- 3) Recording Secretary
- 4) Staff in Attendance
- 5) Acceptance of Minutes from Previous Meeting(s)
- 6) Continued Public Hearings
- 7) Application Acceptance and Public Hearings
- 8) Presentations
- 9) Planning Department Report
- 10) Liaison Reports
- 11) Other Business
- 12) Adjournment

The Chairperson may alter the order of the agenda at their discretion. Other regular members or seated alternates may request to alter the order of the agenda with the Chairperson's approval.

**E. Rules of Order**

For purposes of conduct of the meeting, except as specifically provided herein, the procedures as outlined in 'Robert's Rules of Order' shall be followed.

A motion shall be carried by a majority of members present and voting in the affirmative, unless otherwise specified. Members shall signify their votes on all actions taken by the raising of one hand, so that the recording secretary may indicate those in favor, opposed, and abstaining for the record. As necessary, the Chairperson may direct a showing of hands or request a roll call for clarification.

Formal rules of order may be suspended by concurrence of the members of the Board. In the event of the objection of a member to the suspension of the rules, a 2/3 majority of regular members present must vote in the affirmative to suspend the rules.

## **ARTICLE 6. RECUSAL AND DISQUALIFICATION**

If any member finds it necessary to recuse themselves from sitting on a particular case, as provided in RSA 673:14, they shall notify the Chairperson as soon as possible so that an alternate may be requested and seated. The recusal shall be announced by either the Chairperson or the member before the discussion or the public hearing on the application begins. The recused member shall leave the table during all deliberations and the public hearing on the matter.

If uncertainty arises as to whether a Board member should recuse themselves, 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 regular members or seated alternate members of the Board.

## **ARTICLE 7. PUBLIC HEARINGS**

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

- 1) The Chairperson shall call the hearing into session and read the application number and address.
- 2) The applicant or their representative shall describe the proposal and present testimony to the Board.
- 3) Members of the Board may ask questions at any point during testimony.
- 4) The Chairperson may set time limits for testimonials from the public prior to opening the meeting to public comment.
- 5) The Chairperson will then open the meeting for public comment regarding the application at hand. At this point, members of the public will appear before the Board one at a time and speak in favor of or opposition to the application at hand. Those appearing before the Board must state their name and address and indicate whether they are party to the application or an agent or counsel of the party to the application. Those appearing before the Board must address the Chairperson and not the applicant.
- 6) After the public has been given an opportunity to comment, the Chairperson will close the meeting for public comment regarding the application at hand.
- 7) Once public comment has closed, the Board will resume deliberations and may take action on the application.

## **ARTICLE 8. JOINT MEETINGS AND HEARINGS**

Where necessary and/or desirable, the Planning Board may agree to conduct joint hearings with other land use boards and commissions of the City, including the City Council, and/or with those of adjoining communities. The Chairperson, per RSA 676:2, shall chair such hearings except in the case of a joint hearing with the Planning Board of abutting communities. A meeting of the respective Chairperson and staff shall be arranged by staff to agree upon mutually acceptable procedures.

## **ARTICLE 9. COMMITTEES**

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### **A. Special Purpose and Study Committees**

The Planning Board may, from time to time, deem it necessary to create a subcommittee designated for a specific purpose other than those standing committees outlined herein. Members of special purpose or study committees shall be appointed by the Chairperson and approved by a majority of the regular and seated alternate members present. Any such committee shall cease to exist after one (1) year or when their final report is acted upon by the Planning Board. The Board may vote to extend the duration of such committee by majority vote of regular or seated alternate members. When voting to extend the duration of such committee, the Board may only extend it by an additional year.

### **B. Capital Improvements**

In accordance with RSA 674:5 and City Council Resolution 2000-3, a Capital Improvement Committee has been authorized and adopted as follows:

The Capital Improvement Committee shall be made up of ten (10) members comprised of the following members:

- 1) The three (3) members of the Finance Committee of the Laconia City Council. Should a member of the Committee not be able to serve, then the Mayor shall be authorized to appoint a substitute.
- 2) Three (3) members of the City's Planning Board selected by the Planning Board.
- 3) Four (4) public members appointed by the Planning Board, with two (2) members serving for a term of two (2) years from the date of appointment and two (2) members serving for a term of three (3) years from the date of appointment.

The Capital Improvements Committee of the Planning Board is hereby authorized to prepare and recommend a plan of capital improvements projects (Capital Improvement Plan), projected over a period of at least six (6) years, and such Plan shall include the probable source of funding required to implement each proposed project.

The Capital Improvement Plan shall be first delivered to the City's Planning Board who shall hold a public hearing to gather public input regarding the plan.

Following the public hearing, the Planning Board shall adopt a plan and forward such plan to the Laconia City Council.

The Laconia City Council shall annually adopt a plan as the six (6) year Capital Improvement Plan of the City.

### **C. Master Plan Steering Committee**

The Master Plan Steering Committee (MPSC) shall consist of seven (7) members. Three (3) members shall be appointed by the Chairperson of the Planning Board, two (2) members shall be appointed by the City Manager, one (1) member shall be a City Councilor appointed by the City Council, and one (1) member shall be the Planning Director, or their designee. Should the City Councilor vacate their office for any reason, their position on the MPSC must also be vacated. In

the event the Councilor position is vacated or the Councilor is unable to attend a particular meeting, the City Council may appoint an alternate to serve in their place. The Planning Director shall serve as the Chairperson of the Committee and shall have the authority to vote only in the event of a tie vote by the Committee. The MPSC will review and promote the Master Plan and make recommendations to the Planning Board on revisions to and implementation of the Master Plan's content, goals, and objectives. The MPSC may also include the development of proposed amendments to the City's land use regulations as they pertain to the implementation of the Master Plan. The MPSC shall also work with and seek input from other City boards and other community stakeholders as deemed appropriate by the committee.

#### **D. Technical Review Committee**

The Technical Review Committee (TRC) is to be composed of technically qualified administrators appointed by the Planning Board as authorized under Chapter 63 and RSA 674:43. The TRC shall include the Planning Director and six (6) other technically qualified administrators from relevant departments, including Public Works, Water Works, Fire, Police, Assessing and Building or Code Enforcement or their respective designees. The primary function of the TRC is to review Planning Board applications for completeness and technical accuracy prior to the applications being submitted to the Planning Board. The TRC also has additional designated authority to perform minor site plan review in accordance with RSA 674:43.

The TRC shall be held on the third Tuesday of the month (except for holidays) and shall begin at 10:00 AM with submittal deadlines and meeting dates specified in the TRC meeting schedule prepared annually by the Planning Department.

Applications, including application fees, abutters lists, abutter notification fees, one (1) original proposed plan set, one (1) digital copy of proposed plan set, and seven (7) full-size physical copies of the proposed plan set shall be submitted by the filing deadline as listed on the annual meeting schedule. Materials submitted shall be routed to the Assistant Planner for completeness and compliance review. Any comments from the initial review will be forwarded to the applicant, so that they may revise the application as needed to meet the review schedule. Late or incomplete applications will not be accepted by the Planning Department.

When completed applications are submitted, they are then routed to the TRC. Members of the TRC are responsible for reviewing the applications and visiting the site prior to the public hearing.

The Planning Department's Administrative Assistant shall attend all meetings of the TRC and prepare written minutes of the meeting, incorporating all documents for record purposes. The findings and action, if any, of the TRC shall be noted in the minutes and conveyed to the applicant and parties of interest, including Planning Board members, by means of a letter or Notice of Decision whose date shall serve as the date from which appeals may be filed.

The Planning Director shall report all actions of the TRC, along with complaints, to the Planning Board by means of a monthly report.

Appeals of decision shall be consistent with RSA 674:43(III) and submitted to the Planning Board within 20 days of the Committee's decision.

## **ARTICLE 10. DECISIONS**

The Board shall render a written decision within 65 days of the date of acceptance of a completed application, subject to extension or waiver as provided in RSA 676:4.

Notice of decision will be made available for public inspection at the Planning Department, Laco-nia City Hall, 45 Beacon St. East, within five (5) business days after the decision is made in accordance with RSA 676:3. The decision shall include specific written findings of fact that support the decision.

Failure of the Board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the Superior Court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.

## **ARTICLE 11. RECONSIDERATION**

The Planning Board may reconsider any decision to approve or disapprove an application for good cause, provided it is within 30 days after the date upon which the Board voted to approve or disapprove the application. This may be done through a motion that specifies the reasons for reconsideration. Upon successful passage of the motion, the Board shall schedule a public hearing, with notice as provided in 676:4, where they shall consider whether or not to revise or alter their original decision. Should the Board reach a new decision, a new appeal period shall be considered to have begun pursuant to RSA 677:15.

Any persons aggrieved by any decision of the Planning Board concerning a plat or subdivision may present a petition to the Superior Court setting forth that such decision is illegal or unreasonable in whole or in part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within 30 days after the date upon which the Board voted to approve or disapprove the application.

## **ARTICLE 12. OTHER MATTERS**

The Planning Director acts as liaison for the Planning Board with all federal, state, and local officials and bodies, the press, public, applicants, and landowners and their representatives except where the Board specifically expresses its wish that the Chairperson of the Planning Board act as its policy spokesperson. Thus, all official contact with the parties as enumerated should occur through the Planning Director or Chairperson, as specified. This policy is adopted for the purposes of coordination and accuracy and should not act to limit any Board member in the expression of a personal or private point of view as a resident, citizen, or abutter. However, it is the responsibility of every Board member to ensure that statements made as a private citizen are recognized as such and not necessarily the position of the Planning Board.

Contact with legal counsel for the Board should also be directed through the Planning Director to maintain coordination and cost responsibility to the City. If a member is not satisfied with the response of the Planning Director to a specific concern, they should address that concern to the

Chairperson or other officer of the Board and request discussion or action by the officers or the full Board.

### **ARTICLE 13. AMENDMENTS**

These Rules of Procedure may be amended from time to time by vote of a majority of the regular membership of the Board at a public meeting. Prior to the Board's consideration of any rule change, any member proposing such a change shall draft or request staff to draft, the change in written form and have prepared and distributed copies of the proposed change at least one meeting prior to the meeting at which the change is to be considered. As with other administrative matters, the Planning Director, in consultation with the Chairperson, shall place the matter on the Board's agenda for action at the earliest convenient time.

## **ARTICLE 14. APPROVAL**

This current iteration of the Rules of Procedure for the Laconia Planning Board was adopted by the Planning Board on August 5, 2025.

Adopted: 04/08/1991  
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Revised: 07/21/1997  
Revised: 03/02/1998  
Re-Adopted: 07/02/2024  
Revised: 08/05/2025

  
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Director, Planning and Community Development

8/11/25  
DATE