

# **Planning Board Secretary's Handbook Town of Goshen, New Hampshire**

## **A. Overview of the Planning Board Secretary's Responsibilities**

The Planning Board Secretary has the following responsibilities:

- Attend all Planning Board meetings and hearings
- Take and keep minutes of all Board proceedings
- Send out notices of public hearings
- Maintain the Board's records
- Fulfill such duties as the Chairperson may specify

Each of these responsibilities is described below.

## **B. Attending Planning Board Meetings and Hearings**

The Planning Board Secretary shall attend all Planning Board meetings, public hearings, and site visits in order to take minutes and handle paperwork during the meetings.

The Planning Board holds regular meetings on the first and last Tuesday of each month at 7:00 p.m. in the Goshen Town Hall. The Board may schedule additional meetings, public hearings, and site visits as needed and as agreed upon by the Board.

## **C. Taking and Keeping Minutes of Board Proceedings**

The Planning Board Secretary shall keep and place on file the minutes of all Board proceedings and decisions. The official minutes shall consist of written minutes and, if appropriate, an audio recording of the proceedings.

### **1. Taking Notes and Making Recordings**

The Secretary shall take written notes at every meeting, public hearing, and site visit. At public hearings, the Secretary shall also record the proceedings on an audio recorder. The Board will advise the Secretary as to whether a particular recording should be preserved and made part of the official record. If the audio recording will be part of the official record, this shall be so stated in the written minutes.

The Secretary's written notes and the audio recording, if any, shall be used as the basis for preparing the official minutes of the meeting.

## **2. Complying with State Laws**

State law requires that minutes be submitted and made available to the public within 144 hours (six days) of the conclusion of a meeting. These minutes may be in draft form. (For example, if a meeting concludes at 10 p.m. on a Tuesday evening, the draft minutes are due at the Town Office by 10 p.m. on the next Monday evening.)

State law (RSA 91-A:4) also requires that minutes and other public records be available for public inspection upon request. Not only may the public inspect the official minutes, but they may request to inspect "all notes, materials, tapes or other sources used for compiling the minutes" of public meetings. (A copy of RSA 91-A:4 is attached.)

*Note:* Once the written minutes of a meeting have been drafted and submitted, any sources used in compiling the minutes may be discarded.

## **3. Submitting and Approving Minutes**

The Secretary shall submit draft minutes to the Selectmen's Secretary at the Town Office within 144 hours of the close of a meeting. The Secretary shall also circulate draft minutes to all Board members who participated in the meeting. The minutes may be submitted and circulated in paper form or electronically.

After submitting the minutes to the Town Office, the Secretary may discard any notes that were used in compiling the minutes. Any recording of the meeting may also be discarded at this time, provided that the recording is not being retained as part of the official record.

Board members will review the draft minutes for accuracy and completeness and shall agree to any changes or additions that should be made. This is typically done at the next meeting of the Board. The Secretary shall take note of all such changes.

As soon as is practical (there is no statutory deadline) the Secretary shall incorporate the Board's changes into the draft minutes and shall label the revised minutes as "Approved."

The Secretary shall then submit the approved minutes to the Selectmen's Secretary and to the Board Chairperson.

#### 4. Contents of Written Minutes

Written minutes of any meeting, public hearing, or site visit shall contain the following information:

- The date of the meeting
- Whether the minutes are in Draft or Approved form
- List of Board members present, including any alternate members present. If an alternate member is participating as a voting member, this should be indicated in the minutes. (If a regular member is absent or is recused from participation on a particular issue, then the Chairperson will appoint an alternate member to “sit” for the regular member.)
- List of others present. This list should include the names of any applicants appearing before the Board, surveyors or engineers representing an applicant, legal counsel, guest speakers, and members of the public who speak out on issues. (Members of the public who do not speak on issues do not need to be listed.)

At public hearings, the Chairperson shall ask members of the public to identify themselves when speaking. In addition, the Secretary shall circulate an attendance sheet which shall be labeled with the date and purpose of the hearing. This list will become part of the official record of the hearing.

- The time that the meeting is called to order.
- An identification of each topic discussed by the Board. At regular meetings, the topics discussed by the Board will typically be the same items that are listed on the agenda. (The agenda is prepared by the Chairperson and is circulated to the Board and the public before the start of the meeting.) A public hearing or site visit may be devoted to a single topic, which should be identified at the beginning of the minutes.
- The case number of any application that is being considered. (The Planning Board assigns a case number to each application it processes. The record of the case numbers is maintained by the Secretary.)
- A summary of the discussion on each topic. This summary does not typically need to include all comments and statements by those participating, but should give the general nature of the discussion. However, participants and their viewpoints should be identified if there are contrasting points of view or if one participant dominates the discussion.

- All decisions (votes) of the Board, including the names of the Board members who made and seconded the motion and the number of Board members voting for and against the motion.
- The time of adjournment of the meeting.

## **D. Sending out Notices of Public Hearings**

The Secretary shall notify applicants, abutters, and the public of public hearings as required by law.

The Planning Board holds public hearings on a variety of topics, including proposed changes to official Board documents, proposed changes to fees, proposed changes to the Zoning Ordinance and Building Ordinance, and consideration of land use applications (e.g., subdivisions, excavations).

### **1. Legal Requirements for Notification**

When the Board holds public hearings to consider changes in Board documents, fees, and ordinances, state law requires that the public be notified by:

- Publication of the hearing notice in a newspaper of general circulation in Goshen (see details below, in item 2)
- Posting of the hearing notice in two (or three) public places in the Town of Goshen (see details below in item 3)

Publication and posting of the notice must take place 10 days ahead of the scheduled hearing date. However, the ten days cannot include the date of publication or the date of the meeting. This means that the notice must be posted or published 11 days before a meeting. For example, if a hearing is scheduled for November 30, then the notice must appear in the newspaper at least by November 19.

When the Board holds public hearing to consider land use changes, state law requires that the hearing notice be published and posted (as above) and also be sent to the applicant, any surveyor or engineer who has signed the applicant's plat, all abutters, and all property owners within 200 feet of the subject property. In cases where there may be a regional impact, affected Towns and the Upper Valley Lake Sunapee Regional Planning Commission must also be notified.

Hearing notices must be mailed at least 10 days prior to the scheduled hearing date. They must be sent by certified mail (see details below in item 4).

## **2. Publishing the Hearing Notice in a Local Newspaper**

The *Eagle Times* (a daily paper) and the *Argus Champion* (a weekly paper) are the newspapers of general circulation in Goshen. The Planning Board typically publishes hearing notices in the *Eagle Times* because it is easier to meeting publication deadlines in a paper that is published on a daily basis.

The Secretary is responsible for supplying the notice copy (by telephone, paper copy, or electronically) to the advertising department of the newspaper (see the attached list of contact information.) This must be done in ample time to meet the legal requirements for the “ten-day” noticing. It is best to provide the advertising copy at least three days before the desired publication date (14 days before the hearing date.) This means that if a hearing is scheduled for November 30, then the notice must appear in the newspaper by November 19, and the advertising copy must be supplied to the newspaper by November 16.

The advertisement should be charged to the Town of Goshen. The newspaper will bill the Town. The Secretary shall tell the Selectmen’s Secretary that this cost should be billed to the applicant.

## **3. Posting the Notice in the Town of Goshen**

The responsibility for posting each hearing notice shall be determined jointly by the Chairperson and the Secretary.

For public hearings on applications for an excavation permit, notices must be posted in *three* public locations in the Town of Goshen. The Planning Board posts its notices at the Town Office, the Post Office, and the Goshen Country Store.

For all other public hearings, notices must be posted in *two* public locations in the Town of Goshen. The Planning Board posts its notices at the Town Office and the Post Office.

All notices for public hearings must meet the legal requirement for “ten-day” noticing, which means they must be posted 11 days before the scheduled hearing date.

Notices should be placed as follows:

- Notices posted at the Town Office should be placed on the bulletin board in the window that faces the street.
- Notices posted at the Post Office must have the Postmaster’s stamp of approval. Tell the Postal Clerk at the counter that the notice is for Town of Goshen business and ask her to stamp it. Then post the notice on the bulletin

board that is reserved for Town business (to the right as you enter the building).

- Notices posted at the Goshen Country Store should be tacked to the outside of the building.

#### **4. Mailing Notices to Abutters**

The Secretary is responsible for mailing notices to the applicant, abutters, and all others who, by law, must be notified of a land use hearing. These notices shall be the same as those published in the newspaper and posted in public places.

The applicant is responsible for providing the Board with a mailing list of abutters, as well as mailing addresses of any surveyors and engineers who signed the plat.

The mailing list of abutters must be compiled from official records at the Goshen Town Office not more than five days before the date of submission of an application. The five-day requirement is stipulated in order to ensure that up-to-date information on owners and their addresses is being supplied.

It is very important that notices be sent to all abutters; if an abutter is omitted from the mailing, then an entire hearing might be invalidated and a new hearing might have to be held. If the applicant supplies incorrect or incomplete information, then the applicant must pay the costs of holding a new hearing.

However, it is always in the Town's best interest to avoid a situation in which a new hearing must be held. For this reason, the Planning Board Secretary should, whenever possible, verify that the list of abutters that the applicant has supplied is correct. To verify abutters, following these steps:

- a. Based on the Tax Map and Lot Number(s) of the property being considered, consult the appropriate Tax Map(s) in the Town Office. Note the Tax Map and Lot Number of each property which abuts the subject property (including those across a roadway or a brook or river) and each property within 200 feet of the subject property, even if it does not directly abut the subject property.
- b. Consult the list of property owners that is located at the Town Office. This list is organized by Tax Map and Lot Number. Note the proper name and address that corresponds to each Tax Map and Lot Number noted above.

The Board will advise the Secretary as to whether an application has regional impact and would consequently require notification of adjacent towns or the Regional Planning Commission.

The Secretary shall mail all notices by certified mail and shall supply a return receipt card with each letter to be mailed. The return address on the return receipt card should specify the sender as the Goshen Planning Board and it should also include the Planning Board case number or some other specification that identifies the particular hearing that is being noticed. By being specific in this way, the Secretary can accurately match the return cards with a particular hearing.

The Secretary should obtain a receipt from the Postal Clerk and then submit this receipt to the Selectmen's Secretary. The Secretary shall request personal reimbursement for the cost and shall tell the Selectmen's Secretary that this cost should be billed to the applicant.

## **5. Contents of the Public Notice**

The responsibility for preparing a public hearing notice shall be determined jointly by the Chairperson and the Secretary on a case-by-case basis. The public notice shall contain the following information:

- Purpose of the hearing
- Location (street address and the Tax Map and Lot Number) of any property under consideration
- Date, time, and place of the hearing

## **E. Maintaining the Board's Records**

The Secretary shall be responsible for maintaining all the records of the Planning Board in an orderly fashion. These records shall include at least the following:

- Minutes of every meeting, public hearing, and site visit. These should be placed in a three-ring binder and organized in chronological order. Draft minutes should be placed in the binder until approved minutes are available. When approved minutes are available, the draft minutes should be discarded and the approved minutes should be placed in the binder.
- Audio recordings which are specified to be part of the official record.
- Applications and supporting materials received from applicants.
- Documents or other materials submitted by applicants or other at public hearings.
- Correspondence to and from the Planning Board.
- Materials related to the preparation of Planning Board documents and ordinances.

- Any other official documents and materials related to Planning Board business.

The Secretary is responsible for assigning a Planning Board case number to every land use application that the Board considers. All documents and materials related to a particular case shall be organized as a file that is labeled with the assigned case number.

Planning Board records shall be kept in the Planning Board's file cabinets which are located in the Town Hall. The Secretary and the Chairperson shall each have keys to these cabinets.

## **F. Fulfilling Such Duties as the Chairperson May Specify**

The Chairperson may ask the Secretary to perform other duties which may include the following:

- Purchase and maintain supplies needed for conducting Board business (filing folders, envelopes, and the like)
- Make copies of materials for distribution to the Board or the public
- Make telephone calls and respond to telephone calls
- Provide forms and materials to applicants or the public
- Assist with the preparation of Planning Board documents, fee schedules, and ordinances