

RULES OF PROCEDURE FOR THE DALTON ZONING BOARD OF ADJUSTMENT (ZBA)

I. Authority:

- a. These Rules of Procedure are adopted under the authority of New Hampshire RSA 676:1
- b. The Zoning Board of Adjustment shall have duties and responsibilities pursuant to RSA Chapters 672-677
- c. Any written changes to the Rules of Procedure shall be discussed during a publicized meeting and voted on during a future meeting. A three fifths (3/5) majority vote (of the number of members attending and voting at that meeting) is required to change the Rules and Procedures.

II. Members:

- a. The ZBA shall consist of five (5) members appointed by the Selectmen
- b. Members shall be appointed to terms of three (3) years pursuant to RSA 673:5
- c. Any member unable to attend a meeting should notify the chairman as soon as possible. If any member shall miss three (3) meetings within a year without a valid excuse, he/she may be removed from office.

III. Officers:

- a. Chairman:
 - i. The Chairman shall call the meeting to order and preside over the deliberations.
 - ii. The Chairman shall be elected annually by a three-fifths (3/5) majority (of the number of members attending and voting at that meeting) the first meeting following town meeting. The Chairman shall serve for one year and be eligible for re-election.
- b. Secretary
 - i. The Secretary shall keep a full and accurate record of the proceedings of each meeting; issue notices of all meetings; record the names of the members present; notify applicants and abutters of hearings; and prepare such correspondence and fulfill such duties as the Chairman may specify.
 - ii. The Secretary shall be appointed by the board by a three-fifths (3/5) majority (of the number of members attending and voting at that meeting) .
 - iii. In the absence of the secretary, the Chairman shall appoint a secretary pro tem to keep records of the meeting.
 - iv. Minutes shall be kept for all meetings of the Board. The minutes shall be kept in accordance with RSA 91-A and shall include the names of the members in attendance, persons appearing before the Board, all actions and motions coming before the Board including the votes of the members, and a general summary of all discussions. Draft minutes shall be provided to the Town Clerk in accordance with

RSA 91-A, for posting on the Town website in draft form. Final approved minutes shall be provided to the Town Clerk for posting on the Town website.

IV. Meetings:

- a. Meetings will be held as needed.
- b. Three (3) voting members shall constitute a quorum for the transaction of business. RSA 674:33, III provides that "...the concurring vote of 3 members of the board shall be necessary to reverse any action of an administrative official or to decide in favor of any appeal..." For this reason, the board will make every effort to ensure that a full five member board is present for the consideration of any appeal.
- c. Appeals from an administrative decision taken under New Hampshire RSA 676:5 shall be filed with the Planning Board within thirty (30) days of the date of the decision and not after.
- d. If any member finds it necessary to be disqualified from sitting on a particular case he / she shall notify the Chairman as soon as possible so that an alternate may be requested to fill the place. The disqualification shall be announced by either the Chairman or the member before the discussion or the public hearing on the application begins. The member disqualified shall leave the board table during all discussions and deliberations.
- e. Meeting dates and times will be posted on the website and town bulletin board at least 24 hours before the meeting.
- f. Public hearing dates and times will be posted on the website, town bulletin board, and in the newspaper per the applicable New Hampshire RSA.

V. Order of Business:

- a. At each meeting the order of proceedings shall be as follows:
 - i. Call to order
 - ii. Review / approve minutes
 - iii. Unfinished Business
 - iv. Public Hearings and Review of Applications
 - v. New Business
 - vi. Reports and correspondence
 - vii. Adjournment
- b. A motion shall be carried by a majority of members present and voting in the affirmative, unless otherwise specified.

VI. Applications:

- a. Any property owner or his/her designated agent, applying for a variance or special exception

shall submit an application in accordance with the following regulations. Only complete applications will be considered by the Board.

- b. If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.