

CONSERVATION COMMISSION

CITY OF ROCHESTER, NEW HAMPSHIRE

BY-LAWS

Updated 3-28-2018

A. AUTHORITY:

These By-Laws are adopted under the authority of New Hampshire Revised Statutes Annotated, 1995, Chapter 36-A and the General Ordinance of the City of Rochester, New Hampshire.

B. OFFICERS:

1. **Chairperson:** Shall be appointed every third year in the month of January by the Mayor . Said Chairperson shall serve for three (3) years and shall be eligible for re-appointment. He or she shall preside over meetings and hearings, appoint such committees as directed by the Commission, and shall affix his/her signature in the name of the Commission.
2. **Vice-Chairperson:** Shall be elected annually in the month of January by a majority vote of the Commission. Said Vice-Chairperson shall preside in the absence of the Chairperson and shall have the full powers of the Chairperson on matters, which come before the Commission during the absence of the Chairperson.
3. **Secretary:** Shall be elected annually in the month of January by a majority vote of the Commission. Said Secretary shall serve for one year and shall be eligible for re-election. He/she shall be responsible for taking and recording minutes of all meetings.
4. **Clerk:** Shall be elected annually in the month of January by a majority vote of the Commission. Said Clerk shall serve for one year and shall be eligible for re-election. He/she shall in the absence of the Secretary shall perform the duties of the Secretary.
5. **Alternate Members:** Two (2) alternate members shall be appointed, as provided for by the local legislative body, to serve whenever a regular member of the Commission is unable to fulfill his/her responsibilities due to absence or disqualification.

C. MEETING:

1. **Regular Meetings:** Meetings will be held as posted. Other meetings shall be held on call of the Chairperson provided public notice and notice to each member is given at least 24 hours excluding Sundays and legal holidays prior to such meetings.
2. **Quorum:** A quorum for all meetings of the Commission shall be four members, including alternates sitting in place of an absent member.
3. **Disqualification:** If any member finds it necessary to disqualify himself/herself from sitting in

a particular case, as provided in RSA 673:14, he/she shall notify the Chairperson as soon as possible so that an alternate may be requested to sit in his/her place. When there is uncertainty as to whether a member should be disqualified to act on a particular application, that member or another member of the Commission may request the Commission to vote on the question of disqualification. Any such request shall be made before the public hearing gets underway. The vote shall be advisory and non-binding. The disqualification shall be announced by either the Chairperson or the member disqualifying him or herself before the beginning of the public hearing on the case. The disqualified member shall absent him or herself from the Commission table during the public hearing and during all deliberation on the case.

4. ***Order of Business:*** The order of business for regular meeting shall be as follows:

- 1) Roll call by the secretary/clerk.
- 2) Minutes of previous meeting
- 3) Public hearing
 - a) Conservation Overlay District - Conditional Use Review
 - b) Dredge & Fill Application
- 4) New business
- 5) Unfinished business
- 6) Communications and miscellaneous
- 7) Adjournment.

(**NOTE:** Although this is the usual order of business, the Commission may wish to hold the hearing immediately after the roll call in order to accommodate the public.)

D. **FORMS:**

1. All forms and revisions thereof shall be adopted by resolution and shall become a part of these by-laws
2. Conservation Overlay District Conditional Use Review: Each application for a hearing before the Commission shall be made on forms provided by the Planning Department and shall be presented to the Planning Department.

E. **PUBLIC NOTICE:**

Agendas shall be posted two (2) places in City Hall and on the City's website.

F. **COMMISSION POLICES:**

- 1) The Commission may develop, or direct staff to develop, policies and guidelines for assisting or clarifying meeting procedures, Commission member roles, application processes, court/legislative updates, continuing education, etc.
- 2) Such policies shall be adopted by a majority vote at a regular meeting. Likewise, policies can be discontinued or abandoned by a majority vote at a regular meeting.
- 3) All policies must be within the established parameters of the RSA 36-A and these by-laws. No policy adopted by the Commission shall have the effect of rendering any portion of these by-

laws null & void.