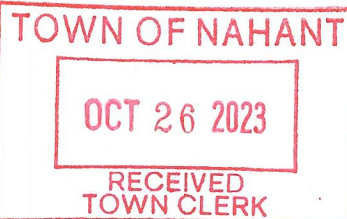




TOWN OF NAHANT, MASSACHUSETTS
OFFICE OF THE
NAHANT PLANNING BOARD



RULES OF PROCEDURE
SECTION 1: ORGANIZATION OF THE BOARD

Section 1.01. Authority

The planning board of the Town of Nahant, hereinafter referred to as the “Board,” derives its authority from Massachusetts General Laws Chapter 41, Section 81 A, “Improved Method of Municipal Planning,” accepted by the town on March 19, 1938, and from Section 3-9 (b) of the charter of the Town of Nahant.

Section 1.02. Organization

The Board is composed of seven members, all of whom must be registered voters of the Town, elected by the Town, at the time of the annual Town Meeting for terms of five years each, so arranged that as nearly an equal number of terms as possible shall expire each year.

A vacancy occurring on the Board otherwise than by the expiration of a term shall be filled in accordance with General Laws Chapter 41, Section 11. Within one month of the date a vacancy occurs, the remaining Board members shall give written notice thereof to the Selectmen who, after one week’s notice, shall fill the vacancy by roll call vote at a joint meeting of the Selectmen and the remaining members of the Board. A majority of the votes cast at the joint meeting shall be required for appointment. The person so appointed shall perform the duties of the office until the next annual Town Meeting, or until another person is qualified.

A Board member who fails to attend six meetings or more during a year without reason sufficient to a majority of the members will be requested to resign from the Board for lack of participation.

In addition to the regular members, two alternate members of the Planning Board are appointed by the Board of Selectmen and the planning board, to serve two-year terms. Alternate members participate only when the Board is serving as Special Permit Granting Authority under the terms of the Nahant Zoning Bylaw, **although the Chairman, in his sole discretion, may permit alternate members to ask questions or make comments in other meetings or hearings (voted 11-1-2022).**

Section 1.03. Election of Board Officers

The Board shall annually elect a Chairperson, Vice Chairperson, Corresponding Secretary/Clerk/Recording Secretary, and Treasurer from its members within one month following adjournment of the annual Town meeting. In addition, the Board may elect such other officers as it deems necessary or desirable. All elections shall be by majority vote.



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Section 1.04. Duties of Board Officers

- A. **Chairperson.** The Chairperson shall preside at meetings and public hearings of the Board, sign documents and correspondence on behalf of the Board, sign documents and correspondence on behalf of the Board, and issues meeting agenda. The Chairperson may also speak for the Board, exercising discretion as to whether the particular subject of the statement(s) may warrant specific prior formal approval of the Board. It shall be the responsibility of the Chairperson to assure that proper notice is given, as required by law, for any meetings he/she may call.
- B. **Vice Chairperson.** The Vice Chairperson shall preside at meetings and public hearings in case of the absence or inability to act of the Chairperson. The Vice Chairperson shall have such other powers and duties as are from time to time assigned by the Board or the Chairperson.
- C. **Corresponding Secretary/Clerk.** The Corresponding Secretary/Clerk shall monitor all incoming correspondence and bring matters to the attention of the Board and the Chairperson as appropriate. The Corresponding Secretary/Clerk shall maintain the records of the Board, and shall prepare, sign and distribute outgoing correspondence as authorized by the Board or the Chairperson/**Recording Secretary.** The Recording Secretary shall keep the minutes of all Board meetings and public hearings in the manner prescribed by General laws Chapter 66 ("Public Records"), Chapter 39, Section 23B (then "Open Meeting Law") and review and approval of the Board at subsequent regular or special meetings.
- D. **Treasurer.** The treasurer shall monitor fund appropriations to the Board to preclude overruns and shall ensure that all monetary obligations of the Board are correct as submitted for payment
- E. **Absence or Incapacity of Officers.** In the temporary absence or incapacity of any officer, the Chairperson may designate another Board member to assume the duties and responsibilities of such officer, and, if no person is so designated, the remaining members of the Board shall designate a person to act during absence or incapacity.
- F. **Vacancies in Office.** Any permanent vacancy in an office shall be filled by the Board at its next regular meeting.
- G. **Limitations on Terms of Office.** No person shall hold a particular office for more than two consecutive years



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SECTION 2: PROCEDURE

Section 2.01. Meetings and Public Hearings

Meetings and public hearings of the Board shall be conducted in accordance with "Robert's Rules or order Revised" insofar as such rules are not inconsistent with applicable statutes, bylaws, rules and regulations, or any legally binding action of Town Meeting or any act of the Massachusetts General Court. In the event of conflict, the latter shall control. The Planning Board may also follow customary usage or any specific rules governing meetings that are approved by a majority of the Planning Board members to the extent not in conflict with controlling law as cited in the preceding sentence. (Approved: October 3, 2023)

Section 2.02. Quorum and Voting Requirements

A quorum shall consist of more than fifty percent (50%) of the members of the Board.

Unless a statute, bylaw, rule or regulation provides to the contrary, the Board shall act by vote of more than 50% of the members voting at a meeting at which a quorum is present.

A number less than a quorum may adjourn a meeting or continue a meeting a future date.

Section 2.03. Notice of Meeting and Order of Business

All meetings and public hearings shall convene in the Nahant Town Hall unless another location is specified in the call of the meeting. Meetings and public hearings shall be posted in accordance with the Open Meeting Law on the meeting notice board located in the vestibule of Town Hall and shall be advertised if required by statute, bylaw or regulation.

Meetings and public hearings shall be called by the Chairperson, but any three (3) members of the Board may call a special meeting, in which instance the said members shall be jointly responsible for giving notice of the meeting as required.

Regular meetings of the Board shall be held twice monthly on dates to be established by majority vote of the members.

Special meeting may be called as necessary, with posting as required by the open Meeting law (General Laws Chapter 39, Section 23B).

The Order of Business for regular and special meetings shall be:

1. Call to order
2. Review and approval of minutes of prior meeting(s) (optional at special meetings)
3. Treasurer's report and approval of bills (optional at special meetings)
4. Review and acceptance of communications (optional at special meetings)



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5. Unfinished business
6. New business
7. Adjournment

Other items may be added to the agenda at the discretion of the Chairperson or by vote of the Board.

The Order of Business for public hearings shall be:

1. Call to order
2. Presentation by petitioner and supporters
3. Presentation by those opposed
4. Rebuttal by petitioner and supporters
5. Rebuttal by opposition
6. Adjournment of public hearing

In lieu of or in addition to presentations by supporters and opponents, where appropriate, time may be scheduled for public questions and comments. A public hearing may be adjourned to a subsequent time and date, providing that information is announced to attendees prior to adjournment. The Board or the Chairperson may impose reasonable limitation on the time for persons to speak at a public hearing.

Discussion on any matter shall be limited to fifteen (15) minutes' duration unless the Board votes by majority to continue the discussion for a stated time beyond the fifteen minute limit.

Board members wishing to place any item on the agenda shall contact the Chairperson at least seven (7) days before the meeting.

Section 2.04. Persons wishing to Address the Board

Persons wishing to make advance arrangements to address the Board or to have the Board take actions on a particular matter should contact the Chairperson or Clerk as soon as possible prior to a meeting. The Chairperson may place such matters on the agenda, or may refer matters to the Board for placement on the agenda for a future meeting.

Originally adopted by the Nahant Planning Board July 3, 1990. Revised August 6, 1990, June 3, 1991, November 1, 2022 and October 3, 2023.