

**HISTORIC DISTRICT COMMISSION
RULES OF PROCEDURE**

Adopted April 2, 1992
Amended March 13, 2003
Amended August 14, 2008
Amended May 13, 2010

AUTHORITY

These Rules of Procedure are adopted under the authority of New Hampshire Revised Statutes Annotated, 1983, Chapter 676:1 and the Land Usage Bylaws and Map of the Town of Fitzwilliam, New Hampshire.

PURPOSE

The purpose of the Fitzwilliam Historic District Commission is to:

1. Preserve structures and places of historic and architectural value;
2. Preserve a district in the municipality which reflects elements of its cultural, social, economic, political and architectural history;
3. Conserve property values;
4. Foster civic beauty; and,
5. Maintain the existing architecture of the district.

MEMBERSHIP

The Historic District Commission shall consist of six (6) members who shall be appointed by the Board of Selectmen.

Each Historic District Commission member shall be a resident of the Town of Fitzwilliam. One commission member shall be a member of the Board of Selectmen. In determining each member's qualifications, the Board of Selectmen shall take into consideration the appointee's demonstrated interest and ability to understand, appreciate and promote the purposes of the Historic District Commission.

TERMS OF COMMISSION MEMBERS

The term of the Selectman serving on the Commission shall be one year.

The term of a Commission member shall be three (3) years. The initial terms of members first appointed shall be staggered so that no more than three appointments occur annually except when required to fill vacancies.

Filling Vacancies in Membership: Vacancies in the membership of the Commission shall be filled by appointment made by the Board of Selectmen.

APPOINTMENT, NUMBER AND TERMS OF ALTERNATE MEMBERS

The Board of Selectmen may appoint not more than two alternate members to the Commission. The terms of the alternate members shall be three years.

OFFICERS

1. A Chairman shall be elected annually by a majority vote of the Commission at the first meeting in April of each year. The Chairman shall preside over all meetings and hearings, appoint such committees as directed by the Commission and shall affix his signature in the name of the Commission.
2. A Vice-Chairman shall be elected annually by a majority vote of the Commission at the first meeting in April. The Vice-Chairman shall preside in the absence of the Chairman and shall have the full powers of the Chairman on matters which come before the Commission during the absence of the Chairman.
3. An Administrative Assistant, designated by the Planning Board, shall maintain a record of all meetings, transactions and decisions of the Commission and perform such other duties as the Commission may direct by resolution.
4. Officers shall serve until elections are held the following April and shall be eligible for re-election.

MEETINGS

Regular meetings: Regular meetings shall be held at the Fitzwilliam Town Hall at 4:00 PM on the second Thursday of each month. The Chairman may cancel or postpone a meeting. Other meetings may be held on the call of the Chairman, Vice-Chairman, or three (3) members, provided notice is given to each member, and notice is posted at the Fitzwilliam Town Hall and Post Office at least 48 hours prior to the time of such meeting.

Quorum: A majority of the membership of the Historic District Commission shall constitute the quorum necessary in order to transact business at any meeting of the Commission.

Designation of Alternate Members: Whenever a regular member of the Commission is absent or whenever a regular member disqualifies himself, the Chairman shall designate an alternate, if one is present, to act in the absent member's place.

Disqualification: If any member finds it necessary to disqualify himself from sitting on a particular case, as provided in RSA 673:14, he shall notify the Chairman as soon as possible so that an alternate may be requested to sit in his place. When there is uncertainty as to whether a member should be disqualified to act on an application, the member or another member of the Commission may request the Commission to take a non-binding vote on the question of disqualification.

Any such request shall be made prior to the meeting. This disqualification shall be announced either by the Chairman or the member disqualifying himself before the beginning of the meeting on the case. The disqualified member shall recuse himself from the Commission table during all deliberation on the case. The Chairman may designate an alternate to act in place of the recused member.

Order of Business: The Order of Business for regular meetings will be as follows:

- Roll call by the clerk
- Public hearing
- Minutes of previous meeting
- Unfinished business
- New business
- Communications and Administrative Work
- Adjournment

APPLICATION/DECISION

Application: Each application submitted to the Commission shall be made on the forms provided by the Commission, which are available at the Land Use Office or the Selectmen's Office in the Fitzwilliam Town Hall. Completed applications are returned to the Land Use Office and a public hearing will be scheduled.

Appeal: Appeals may be made to the Zoning Board of Adjustment from an Administrative Decision made by the Commission taken under RSA 676:5 shall be filed within thirty (30) days of the decision.

Public hearing: The Commission shall hold a public hearing to consider the application no later than thirty (30) days after the filing of the application. The Commission shall have the power to continue a hearing of an application if they determine that the continuance is necessary to allow the applicant to provide information of an unusual nature and which is not otherwise required as part of the application.

Public Notice: Public notice of meetings on each application shall be posted in the Fitzwilliam Town Hall and the Fitzwilliam Post Office not less than 48 hours before the date fixed for the hearing.

Meetings and Hearings: All Commission meetings and hearings are open to the public.

Decisions: The Commission shall take action on all cases within fourteen (14) days of the meeting. Notice of this action will be made available for public inspection within five (5) business days. If an application is denied, the notice shall include the reasons for denial.

Forms: All forms and revisions prescribed shall be adopted by resolution of the Commission and shall become part of these Rules of Procedure.

RECORDS

The records of the Commission shall be kept by the Administrative Assistant and made available for public inspection at the Fitzwilliam Town Hall in accordance with statutory requirements.

Decisions: Final written decisions will be placed on file and available for public inspection within five (5) business days after the decision is made. (RSA 676:3)

Minutes: Minutes of all meetings including names of Commission members, persons appearing before the Commission and a brief description of the subject matter shall be open to public inspection within 5 business days of the meeting. (RSA 91-A:2 II).

AMENDMENTS

These Rules of Procedure may be amended by majority vote of the members of the Commission at a regular meeting.

ENFORCEMENT

Fine: Violations of the Rules and Regulations of the Historic District Commission shall be punishable by a fine as established and in accordance with RSA 676:17.