

**ARTICLE V
PLANNING BOARD**

175-15. Planning Board.

- A. There shall be a Planning Board consisting of seven (7) members and not more than five (5) alternate members as provided by state statute in accordance with Sec.11.1.A of the Town Charter.
- B. During the period of his/her service on the Planning Board, a member may not appear before the Planning Board as a paid representative of or paid consultant to an applicant before the Board.
- C. The Town Administrator or another member of the Town administration designated by the Town Administrator shall meet with the Planning Board in April of each year to provide the Board with the information and guidance necessary for the Board to carry out its duties including those specified in Section 175-16 and fulfill the purposes set out in Section 175-3.

175-16. Powers and Duties.

The Planning Board shall have all the powers granted to, and the duties conferred upon, planning boards by state law, including but not limited to the following:

- A. The Planning Board shall prepare and amend, from time to time, a Master Plan to guide development of the municipality in accordance with RSA 674:1,
- B. The Planning Board may initiate changes in the Zoning Ordinance to ensure that the Town's regulations are consistent with the adopted Master Plan,
- C. The Planning Board shall review and make recommendations to the Town Council on proposed amendments to the Zoning Ordinance,
- D. The Planning Board shall develop, adopt, and periodically review and amend subdivision regulations, site plan review regulations, road standards, and other land use regulations authorized by state law or local ordinances,
- E. The Planning Board shall review and approve or disapprove proposals for subdivisions,
- F. The Planning Board shall review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or multi-unit residences whether or not such development includes a subdivision or resubdivision of the site, and as provided for in RSA 674:43, and
- G. The Planning Board shall review and approve or disapprove requests for Conditional Uses.

175-17. Delegation of Site Review Authority.

The Planning Board is empowered to delegate to a Technical Review Committee, its site review powers for minor site plan reviews of permitted uses (those listed without an asterisk in the zoning district standards or listed as permitted in the Table of Uses). The Technical Review Committee shall, at a minimum, consist of the Code Enforcement Officer/Zoning Administrator, and the Director of Planning and Community Development. The membership of the Technical Review Committee may expand at the discretion of the Code Enforcement Officer/Zoning Administrator and the Director of Planning and Community Development to include staff representatives from other town departments, including but not limited to, the Public Works, Police, and Fire Departments. The Technical Review Committee shall insure compliance with the provisions of the Town of Durham Site Plan Review Regulations. The Committee shall have the power to grant waivers under Section 12.02 of the Site Plan Review Regulations. The Technical Review Committee shall approve, disapprove, or make a recommendation to the Planning Board on site plans reviewed by it. For each site plan reviewed by the Technical Review Committee, the Planning Board shall be provided, at its next regularly scheduled meeting, a written report of the Technical Review Committee's decisions. Decisions rendered by this Committee may be appealed to the full Planning Board, provided that a notice of appeal is filed within thirty (30) days of the Committee's decision. The Planning Board shall hold a public hearing on the appeal. The review by the Planning Board shall be based upon the materials submitted to the Technical Review Committee, the record of the committee action, and testimony at the public hearing. The Planning Board may affirm or change the decision of the committee. All provisions of RSA 676:4 shall apply to actions of the Technical Review Committee.

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