

RULES OF THE ASHFIELD PLANNING BOARD
(Revised September 30, 2010)

1. The Planning Board shall elect from among its members at its first regular meeting following the annual town meeting of the Town of Ashfield, or as soon thereafter as practical, a Chair and a Clerk, both to serve until the first regular meeting of the Planning Board following the next annual town meeting, or until their successors qualify.
2. Regular meetings of the Planning Board shall be held on the first and third Wednesday of each month at the Ashfield Town Hall, at 7:30pm.
3. Special meetings of the Planning Board shall be held at the call of the Chair, with appropriate timely advance notice to its members, the parties in interest, and to the general public, in accordance with the procedure of Massachusetts Open Meeting Laws.
4. At any regular or special meeting of the Planning Board, three (3) members shall constitute a quorum for the conduct of ordinary business.
5. To conduct a public hearing of the Planning Board, at least four (4) members of the Planning Board shall be required to be present.
6. All regular meetings, special meetings and public hearings of the Planning Board shall be open to the public.
7. In the event of the death, resignation, or inability of any member of the Planning Board to serve out his/her term of office on the Planning Board, the vacancy shall be filled in accordance with statutory procedures.
8. The Planning Board, subject to budgetary appropriation, may retain independent contractors as expert consultants, clerical and other assistance to carry out its authorized responsibilities.
9. Special permits shall be issued only following public hearings held within sixty-five (65) days after the filing of an application for a special permit with the Ashfield Town Clerk. The Town Clerk shall provide a copy of the application to the Planning Board.
10. Special permits may be issued only for uses that are in harmony with the general purpose and intent of the Zoning Bylaws of the Town of Ashfield, and shall be subject to general or specific provisions set forth therein. Such permits may also impose conditions, safeguards, and limitations on time or use.
11. At the time of filing each application for a special permit must be accompanied by a filing fee of one hundred fifty dollars (\$150.00) OR .005 (one-half of one percent) of construction value (whichever is more), payable to the Town of Ashfield.
12. Each applicant for a special permit shall receive a copy of the guidelines for special permits and shall be required to present at the public hearing a plot plan, Planning Board forms #1 - #4 and, where applicable, Planning Board form #5. Upon written application to the Planning Board, forms #1 - #5 may be omitted, if a majority of the Planning Board present decides that such forms are unnecessary for a particular special permit.

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13. A public hearing shall be held following timely advance notice given to the applicants, parties in interest, and the general public by: 1) publication in the Greenfield Recorder for two successive weeks, 2) posting at the Ashfield Post Office, 3) posting at the Ashfield Town Hall, and 4) by mailing a copy of the notice of public hearing to the applicant and to other parties in interest.
14. The Planning Board shall act within ninety (90) days following a public hearing on the application for a special permit. When all five (5) members of the Planning Board are present at the public hearing, an affirmative vote of at least four (4) members is required for a special permit to be issued. In the event that only four (4) members of the Planning Board are present at a public hearing on the application for a special permit, a unanimous affirmative vote is required for a special permit to be issued.
15. An applicant for a special permit shall be responsible for all legal notices associated with the hearing. The Planning Board shall approve all such notices during a regularly scheduled meeting. The applicant shall furnish proof of such notices prior to the hearing.
16. Upon the granting or denial of a special permit, the Planning Board shall issue to the Ashfield Town Clerk a copy of its decision, certified by the Planning Board. The Town Clerk shall forward a copy of the decision to the applicant and/or owner, who is required to send a copy to all parties in interest. The applicant and/or owner must furnish proof of such notification to the Town Clerk prior to certification.
17. No special permit shall take effect until a copy of the decision bearing the certification of the Town Clerk after twenty days (20) have elapsed since the filing of the decision with the Town Clerk and that no appeal has been filed, or – if such appeal has been filed – that it has been dismissed or denied, and until the certified decision is recorded by the applicant in the Registry of Deeds for Franklin County. The fee for recording at the Registry of Deeds shall be paid by the applicant and/or owner.
18. Incorporated herein and made a part of the Rules of the Planning Board are the Rules and Regulations Governing the Subdivision of Land and Protective Bylaws and Subdivision Control Laws of the Town of Ashfield.
19. Application for endorsement of plans believed not to require approval (Form A) shall be presented and recorded by the Board only at a regular meeting. Such applications shall not be recorded for filing by the Clerk or any member of the Board or Town Clerk at any other time. Each application shall be accompanied by a minimum fee of \$75.00, plus \$75.00 for each new lot created.
20. The Planning Board shall adopt and – from time to time – may amend its rules on all matters for which it has authority, by a majority vote at any meeting of the Planning Board at which a quorum is present.
21. The Planning Board retains the right to charge for expert opinions regarding various decisions that come before the Board.