

# The Waterboro Planning Board

## BYLAWS

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**Amended January 10, 2005**

**January 6, 2016**

**June 2, 2021**

# **BYLAWS**

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# **BYLAWS**

## **DECLARATION**

Business of the Planning Board shall be conducted in accordance with the Maine Statutes, Town Ordinances and pertinent parts of Roberts Rules of Order; as well as the Planning Board Subdivision Regulations, the Planning Board Bylaws, and amendments and supplements thereto.

The Planning Board pledges to maintain professional conduct in the review of all proposals before it, and in all other business deliberations. All proposals shall be examined equally and equitably, if for any reason an individual board member feels that he or she has a particular bias either for or against a particular proposal, he or she shall announce the issue to the board and the board can determine if they feel comfortable with that member continuing to participate or should abstain from voting on matters pertaining to that proposal. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is being challenged.

### **I. Membership**

#### **A. Appointments**

1. Appointments to the Board will be made by the Board of Selectmen
2. The Board shall consist of 5 members and 2 alternate members.
3. The term of each member shall be 5 years. The term of office of an alternate member shall be 5 years.
4. When there is a vacancy, the municipal officials shall within 30 days of its occurrence, or as soon as an appropriate replacement is found, appoint a person to serve for a full term.
5. The Planning Board shall notify the Town officials of the absence of a member from 40% of the planning board meetings in a 6 month period. This process shall occur on a yearly basis at the same time just prior to the election of Officers for the upcoming year or prior to this date if necessary.

#### **B. Officers and their Duties**

1. The officers of the Planning Board shall consist of:

**Chair-**The Chair shall preside at all meetings and hearings of the Planning Board and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall have the authority to: appoint committees and call for work Sessions.. The Chair shall be one of the citizen members of the Board. The Chair shall have the privilege of discussing all matters before the Board and of voting thereon.

**Vice-Chair**-shall act for the Chair in his or her absence. The Vice Chair shall be a citizen member of the Board. The Vice-Chair in the absence of the Chair shall have all of the same powers and duties as the Chair

C. Elections of Officers

1. Nomination of officers shall be made from the Board at the annual organizational meeting, which shall be held the first meeting of July, and the elections shall immediately follow thereafter.
2. A candidate receiving a majority vote of the Planning Board shall be declared elected and shall serve for one year or until the next annual organizational meeting or until his or her successor shall take office.
3. Vacancies in office shall be filled as soon as possible by regular election shall serve in that capacity so elected.

D. Other Board Members

1. An alternate member may attend all meetings and fully participate in its proceedings.
2. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members present except the member who is being challenged.

## **II. Meeting Organization**

A. Regular Meetings

1. Meetings will be held twice monthly, currently the first and third Wednesday of each month at 6:30p.m. The standard meeting place shall be the Waterboro Town Hall Annex on Townhouse Road; however, meetings may be rotated to various other locales within the Town to enable better Board-Citizen rapport. Meeting times and dates may vary to accommodate public hearings, special meetings and holidays. The Planning and Code Office Administrative Assistant shall have the responsibility of notifying the members and for advertising to the public at large where and when the meetings will be held if they are to be other than the normal time and place.
2. No meeting of the board shall be held without a quorum consisting of 4 members.
3. All meetings shall be open to the public
4. A recess may be called by a majority vote of the Board at any time during a regular meeting.

B. Workshops

1. The Chair may, with the approval of the majority of the Board call special workshops.
2. These workshops shall be open to the public; however, the general public shall not be allowed to address the Board with the following exceptions.
  - a. In the event that the topic of the work session involves such matters in which the Board has requested that a Citizen Advisory Group be established to aid the Board in its findings and deliberations, said group shall have input into the discussion phase of the meeting
  - b. Any Official, citizen, etc. who specifically has been requested by the Board to have inputs to that meeting may do so; but only to that extent.

- c. Inputs from other interested citizens may be heard if the majority of the Board so votes.
- d. Roberts Rules of Procedure shall apply. The Chair may rule any deviations from the above to be out of order.

D. Special Meetings

- 1. The place of the special meeting date and time will be designated by the Chair or Acting Chair at his/her discretion.

**III. Order of Business**

- A. The order of business at regular meetings shall be:
  - 1. Roll Call
  - 2. Minutes
  - 3. Public Hearings
  - 4. Old business
  - 5. New Business
  - 6. Communication
  - 7. Miscellaneous
  - 8. Adjournment

The Chair acting on behalf of the board may choose to take items out of order.

**IV. Committees**

- A. Standing committees may be adopted by the Chair
- B. The standing committees shall be appointed for one year and shall consist of at least 3 members. Vacancies shall be filled immediately by the Chair of the Planning Board.
- C. Special committees may be appointed by the Chair for purposes and terms which the Board approves.

**V. Contractual Services**

The Board may contract at no cost to the Town, unless authorized, such staff and/or experts as it sees fit to aid the board in its work.

**VI. Hearings**

- A. In addition to those required by law, the Board shall hold public hearings on all Site Plans and Subdivisions prior to any final approvals being granted.
- B. Notice of such hearings shall be published in the town's website, official newspaper(s) of the municipality and in a newspaper of general circulation which meets the requirements of either State law or the local Ordinance
- C. The case before the Board shall be presented in summary by the applicant or a designated member of the Board, and parties in interest shall have privileges of the floor.
- D. A record shall be kept of those speaking before the Board.

**VIII. Amendments**

These BYLAWS may be amended by an affirmative vote of the majority present and voting members of the Planning Board.