

**PLANNING BOARD BY-LAWS
BRIDGTON, MAINE**

1. General Provisions:

1.1 Business of the Board shall be conducted in accordance with Maine Revised Statutes Annotated, Town Ordinance, Subdivision Regulations and Robert's Rules of Order.

1.2 Planning Board Members are expected to be knowledgeable of laws, ordinances, regulations, and Board policies and to abide by them.

1.3 Planning Board members are expected to attend at least 75% of all regularly scheduled meetings.

2. Membership:

2.1 Election:

2.1.1 Regular and alternate members of the Planning Board shall be elected in accordance with the Bridgton Planning Board Ordinance.

2.2 Officers and Their Duties

2.2.1 Officers of the Planning Board shall be determined in accordance with the Bridgton Planning Board Ordinance.

2.2.2 Vacancies of Officers shall immediately be filled by regular election procedures.

2.2.3 The Chairperson shall preside at all meetings and hearings of the Planning Board. He/She shall appoint all committees, call all work sessions, and designate which alternate will sit in place of an absent or excused regular member.

2.2.4 The Vice-Chairperson shall act for the Chairperson in his/her absence.

2.2.5 In case of absence of both the Chairperson and Vice-Chairperson, any regular member who is selected by those members present, may preside at a regularly scheduled meeting.

2.2.6 The secretary shall be responsible for the minutes and records of the Board, agendas of regular and special meetings (together with the chairperson), notice of meetings and hearings, correspondence of the Board, and any other duties as are normally carried out by a secretary.

3. Power and Duties:

3.1 The Board shall perform such duties and exercise such powers as are provided in the Bridgton Planning Board Ordinance.

4. Meetings:

4.1 Regular Meetings:

4.1.1 Regular meetings of the Board shall be held at 5:00p.m., current time, on the first Tuesday of each month. The meeting shall be at the Bridgton Municipal Building unless another location is designated by the Board and so advertised.

When the first Tuesday falls on or near a holiday, or if circumstances warrant, upon a majority vote of the Board at the previous meeting, the date and/or time of the next regular meeting may be changed. Notice of the change shall be posted at the Municipal Building seven (7) days prior to the meeting.

4.1.2 All meetings shall be open to the public.

4.1.3 No official business may be conducted without a quorum present. The quorum is established by the Bridgton Planning Board Ordinance. The quorum shall not include any member who cannot participate due to a conflict of interest. "Conflict of interest" is defined by state statute. Any question as to whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting on a particular matter shall be decided by a majority vote of the members present except the member in question.

4.1.4 In the event a quorum is not present the Board members available are authorized to request the chairperson to reschedule the meeting to another date and to adjourn the meeting. If the date is other than a regular meeting date, the secretary shall have the responsibility of providing adequate notice to the Board members, municipal officials, and the general public.

4.1.5 All comments addressed to the Board shall be made through the chairperson.

4.1.6 Regular Board meetings should follow the published agenda (see 4.5 Agendas). Items may be considered out of order only with a majority vote of members present and voting. An item not previously on the agenda at the meeting, may be added to the agenda by a majority vote of the Board. Any item not on the agenda shall not be considered until placed thereon.

4.2 Special Meetings

4.2.1 Special or additional meetings of the Board may be scheduled at the discretion of the chairperson or by majority vote of the members. All Board members, the municipal officers, and the general public shall be given adequate notice as to time and place of any special meetings.

4.2.2 No special meeting may be called without a specific stated agenda or purpose.

4.3 Work Sessions:

4.3.1 The Chairperson may, with the approval of the majority of the Board, call work sessions for the purpose of updating regulations, ordinances, by-laws, and other information work items relating to the Board's activities, providing the public is notified. A quorum shall be present to conduct any business.

4.3.2 Normally, the third Tuesday of the month shall be set aside for work sessions. During, or in addition to any meeting of the Board (with the approval of the majority of the Board), the Board may move into work session.

4.3.3 During work sessions, no other business except that being declared Germain to the work session by the Chairperson or by majority vote of the members present, may be considered.

4.3.4 Work sessions are open to the public. The general public shall be barred from addressing the Board except as follows:

I. Input from public allowed when:

- (A) The majority of the Board permit it.
- (B) Any officials, consultants, citizens etc. have been specifically invited to attend to provide input.

II. Input from other persons in attendance must be reserved:

- (A) For the end of the work session.
- (B) For a time designated within a regular Board meeting.
- (C) For a specific time designated by the Board during the future work sessions.

4.4 Executive Sessions:

4.4.1 Upon a vote of majority of members, present and voting, the Board may call for an executive session to meet with the attorney representing the Town concerning the legal rights and duties of the (board), pending or contemplated litigation, settlement offers, and matters where (the attorney/client privilege between the board and its lawyer would be jeopardized) or where premature public knowledge would clearly place the municipality at a substantial disadvantage.

4.4.2 Within the executive session it shall be the responsibility of the chairperson to ensure that only that business for which the session was called is discussed, and that no official action is taken.

4.5 Agendas:

4.5.1 Regular Board meeting agendas should follow the following format:

1. Call to order and determine the presence of a quorum.
2. Approval of Minutes of Previous Meeting.
3. Public Hearing (if scheduled).
4. Old Business.
5. New Business.
6. Information and/or Concerns.
7. Other
8. Adjourn

4.5.2 The agenda shall be available and posted at the Municipal Building and all Board members notified at least two (2) working days prior to the meeting date.

4.5.3 New applications, upon receipt at the Town Office, shall be placed on the next available slot for new applications on the agenda, and the applicant so notified of the date and time.

4.5.4 All agenda items must be submitted at least ten (10) days prior to a regular Board meeting.

4.5.5 The Town of Bridgton department heads shall review all site plans and subdivision requests against the checklist in relevant ordinance(s) or regulation(s) prior to becoming an agenda item.

4.5.6 Ten (10) days prior to a regular meeting, the Town Planner (if there is one), Planning Board Secretary and the Board Chairperson shall prepare the agenda.

4.6 Procedures:

4.6.1 Any person wishing to meet with the Board for any business which it is the duty of the Board to consider shall make application according to the appropriate ordinance or regulation.

4.6.2 At the initial meeting concerning a new application, the Board shall make findings whether the application is complete and take all necessary steps to notify the applicant of the Board's determination. The Board may limit the consideration and/or reschedule any matter to a later date.

4.6.3 It is the duty of the Board to hear any and all material relevant to the matter before it. Should any discussion deviate from the subject matter under consideration, or be otherwise irrelevant to the subject, the discussion may be terminated by the Chairperson or by a properly presented motion through the Chair. A decision by the Chairperson to terminate discussion may be overruled by a properly passed motion presented by any member of the Board.

4.6.4 The Board shall act only by order or resolve. All orders and resolves shall be confined to one subject, which shall be clearly expressed in the title.

4.6.5 In the votes of command, the form of expression shall be "ordered"; and of opinions, principles, facts, or purposes, the form shall be "resolved". All orders or resolves shall take effect after passage unless the order or resolve otherwise provides.

4.6.6 The votes for and against the passage of an order or resolve shall be taken and entered upon the record of the proceedings of the Board by the secretary.

4.7 Rules of Order:

4.7.1 Any situation not specifically covered in the following paragraphs shall be handled in accordance with Robert's Rules of Order.

4.7.2 The Chairperson shall consider a motion to adjourn as always in order except on immediate repetition, and that motion, and the motion to lay on the table, or to take from the table shall be decided without debate.

4.7.3 When a vote is passed, it shall be in order for any member who voted in the majority or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next meeting, but not afterwards; and when a motion or reconsideration is decided, that the vote shall not be reconsidered.

4.7.4 When the question is moved and seconded, there shall be no further amendment or debate; but pending amendments shall be put in their order before the main question. If a motion for a question fails, the main question and pending amendments remain open for debate.

4.7.5 No debate shall be allowed on a motion for the questions. Neither is it susceptible of amendment. All questions of order arising incidentally thereon must be decided without discussion whether appeal be had from the Chair or not.

4.7.6 Application to be excused from a vote must be made before discussion of the question and this application must be decided without debate.

4.7.7 Every motion shall be reduced to writing, if the Chairperson shall so direct.

4.7.8 Any member may require the division of a question when common sense will allow it and shall be decided without debate.

4.7.9 All questions relating to priority of business to be acted upon shall be decided without debate.

5. Public Hearings:

5.1 Notice:

5.1.1 Notice of any public hearing shall be published in a paper of general circulation and notice shall be posted in a prominent place in the Town of Bridgton at least ten (10) days before such hearing. The notice shall state the nature of the hearing, the time, date, and place of the hearing. If required by Ordinance, notice shall be sent to owners of property (abutters or others within specific distances) with an interest in the hearing within the time limits set by the Ordinance.

5.2 Evidence:

5.2.1 In General - Evidence which is relevant and material to the subject matter of the hearing of a type commonly relied upon by reasonable prudent individuals in the conduct of their affairs shall be admissible. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.

5.2.2 Documentary and Real Evidence - All documents, materials, and objects offered as evidence shall, if accepted, be numbered or other wise identified. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available. The Board may require, after prior oral written reasonable notice, that any party offering documentary evidence shall provide the Board with an appropriate number of copies of such documents or photographs unless they are determined to be of such form, size or character as not to be reasonably susceptible of reproduction. All documents, materials and objects accepted into evidence shall be made available during the course of the hearing for public examination and explanation. All such evidence shall also be available for public examination at a place designated by the Board during normal business hours.

5.3 Continuances:

5.3.1 All hearing conducted pursuant to these By-Laws may be continued for reasonable cause and reconvened from time to time and from place to place as may be determined by a majority vote of the Board members present. Continuances may be granted at the request of the any person participating in such hearing if it is determined that a continuance is necessary. This provision shall not be interpreted in such a fashion as to cause unreasonable or needless delay in any hearing.

5.3.2 All orders for continuances shall specify the time and place at which such hearing shall reconvene. The Board shall arrange to notify interested persons and the public in such manner as is appropriate to ensure that reasonable notice will be given of the time and place of such reconvened meeting.

5.4 Evidence:

5.4.1 Evidence shall be given in order. The Applicant and witnesses for the applicant shall present evidence first. Those in opposition to the proposal may testify next. All others wishing to provide evidence are third in order. The board and its staff shall present evidence last.

5.5 Record:

5.5.1 the record of the hearing shall consist of the recording of the hearing, all exhibits, all briefs, proposed findings and rulings thereon, and any proposed findings of fact and conclusions of the Chairperson. Such record shall be given to the Board for its decision.

6. Amendments:

6.1 The By-Laws may be amended by a majority of the Board at a regular scheduled meeting.

7. Severability:

7.1 The invalidity of any section or provision of these By-Laws shall not be held to invalidate any other section or provision of these By-Laws.

These By-Laws, if and when adopted, combine and replace the previously adopted By-Laws and the Rules and Regulations and are prepared in accordance with the Bridgton Planning Board Ordinance.

8. Definition

Conflict of Interest - A Planning Board Member who has direct or indirect pecuniary (financial) interest in any questions on which he or she must decide in an official capacity must make full disclosure of that interest on the record and must abstain from voting or attempting to influence a decision in his or her capacity as a Board member.

Quorum - The quorum as established by the Bridgton Planning Board Ordinance is 3 members.

ADOPTED BY VOTE OF THE BRIDGTON PLANNING BOARD
at a regular scheduled meeting on: JULY 18, 1995.

REVISED BY VOTE OF THE BRIDGTON PLANNING BOARD
at a regular scheduled meeting on: December 3, 2019

Date: January 07, 2020

Deborah Brusini 

Kenneth Gibbs 

Dee Miller 

Dan Harden 

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