

# Newry Planning Board Meeting Agenda

November 5, 2025 -- 6:00pm

Town Office, 422 Bear River Road, Newry, ME

- 
- 1) **Attendance and Determination of Quorum** (2 members required) - Edward (Ted) Baker, Chair; John (Gootsch) Gauthier, Vice Chair; Heidi Marotta, Secretary; Meredith Harrop (Alternate) and Rob Kates (Alternate).

Becky Bean, Recording Secretary and Joelle Corey, Code enforcement officer

- 2) **Review Voting eligibility:**

NOTE: Any members who were absent from a meeting must have listened to the recording of that meeting and reviewed the documentation distributed at that meeting prior to voting on any topics which were discussed during the missed meeting.

- 3) **Minutes of Prior Meetings:**

Regular Meeting, October 15, 2025

- 4) **Correspondence Received:**

- 5) **Business:**

- A) **Applications:**

New – Application 25-289; Amendment to Baker Acres III subdivision; change to lot line; Lyons Maine, LLC applicant.

- B) **Other:**

1. A proposal to adopt Rules of Procedure
2. A proposal to reorganize the sections of the UDRO

- 6) **Reports:**

1. Comprehensive Plan Review Committee
2. Town Administrator's monthly summary of escrow accounts
3. CEO

- 7) **Open Discussion:**

- 8) **Schedule next meeting:** November 19, 2025

- 9) **Adjournment**

# Rules of Procedure

## Town of Newry Planning Board

References: (A) Town of Newry, Maine, Planning Board Ordinance, originally adopted September 21, 1987, last amended June 8, 2021

(B) Town of Newry, Maine, Unified Development Review Ordinance, originally adopted June 15, 1992, last amended May 13, 2025

These Rules of Procedure are adopted by the Newry Select Board to govern meetings and operations of the Newry Planning Board, as per paragraph 3.G. of Ref. (A). These rules are intended to promote efficient, fair, and transparent proceedings while ensuring compliance with all state and local regulations, including the Maine Freedom of Access Act (FOAA).

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### 1. NAME AND AUTHORITY

1.1. Name: The name of this body shall be the Newry Planning Board, hereinafter referred to as *the Board*.

1.2. Authority: The Board derives its authority from the laws of the State of Maine, including but not limited to 30-A M.R.S.A. § 4325, Ref. (A) and Ref. (B).

1.3. These Rules of Procedure supersede and replace the The Town of Newry Planning Board By-Laws originally adopted on May 2, 1990, last amended June 18, 2024

## 2. MEMBERSHIP, ORGANIZATION AND TOWN STAFF

2.1. Membership: The Board shall consist of regular and alternate members as prescribed by Ref. (A).

2.2. Officers: At its first regular meeting in July of each year, the Board shall elect from its regular members a Chairperson and a Vice-Chairperson/Secretary consistent with Ref. (A). If a vacancy exist among the regular members the election shall be tabled until the vacancy has been filled and a full Board is present.

2.3. Chairperson: The Chairperson shall preside at all meetings, preserve order and decorum, rule on points of order and procedure, appoint committees as necessary, and perform all other duties customary to the office.

2.4. Vice-Chairperson/Secretary: The Vice-Chairperson/Secretary shall act as Chairperson in the absence or incapacity of the Chairperson.

2.5. Vacancies: Vacancies in regular or alternate member positions shall be filled in accordance with Ref. (A).

2.6. Recording Secretary: The Recording Secretary, appointed by the Newry Select Board, shall serve as Clerk/Secretary to the Board. The Clerk/Secretary shall keep a true and accurate record of all proceedings, including minutes, attendance, and votes. The Recording Secretary will also work with the Board in drafting Findings of Fact and Conclusions of Law for all applications coming before the Board.

2.7. Town Administrator: The Town Administrator shall receive, make record of and track any and all escrow accounts associated with the Board.

2.8. Code Enforcement Officer (CEO): The CEO shall:

2.8.1. Act as an agent for the Board.

2.8.2. Assist the Chairperson with developing the meeting agenda and distributing it electronically in advance of the meeting to Board Members and to the Town Office for public posting.

2.8.3. Receive and make record of any and all applications submitted to the Board for review.

2.8.4. Receive and make record of applicant' s payments/checks and forward the payment to the Town Office.

2.8.5. Leave copies of meeting materials for absent members

### 3. MEETINGS

3.1. Regular Meetings: Regular meetings of the Board shall be held at the Newry Town Office on the first and third Wednesday of each month at 6:00PM, or at such other times and places as the Board may determine. The Board shall meet at least once each month.

3.2. Special Meetings: Special meetings may be called by the Chairperson, a majority of the Board, or by the Municipal Officers. A notice of special meetings shall be provided to all Board members as well as the public at least 48 hours in advance, and whenever possible, announced at a prior regular meeting.

3.3. Emergency Meetings: In the event of an emergency, a meeting may be called with such notice as is practical, consistent with the Maine Freedom of Access Act. Local media representatives shall be notified whenever practical.

3.4. Public Notice: All meetings shall be open to the public in accordance with the Maine Freedom of Access Act (1 M.R.S.A. § 401 et seq.). Public notice of all meetings, including agenda, time, and place, shall be disseminated in a manner reasonably calculated to notify the general public in the Town, in ample time to allow public attendance. This typically includes posting at the municipal office and on the Town's website, and may include notice in a local newspaper. For public hearings on applications, specific notice requirements as outlined in **Article VI Ref. (B) §3.G. and municipal ordinances** shall be followed.

3.5. Quorum: A quorum shall consist of a majority of the regular Board members. Alternate members may serve to achieve a quorum in the absence of regular members. No business shall be transacted in the absence of a quorum.

3.6. Attendance: Members are expected to attend all meetings. If a member anticipates an absence, they should notify the Chairperson or CEO as soon as possible. Repeated unexcused absences may be grounds for removal as per municipal ordinance.

3.7. Minutes: Minutes of all public proceedings shall be made within a reasonable period of time and shall be open to public inspection. At a minimum, minutes shall include:

- The date, time, and place of the public proceeding.
- The members of the Board recorded as either present or absent.
- All motions and votes taken, by individual member if there is a roll call.
- An audio, video, or other electronic recording of a public proceeding may satisfy the record requirements.

3.8. Order of Business: The typical order of business for regular meetings shall be:

- Call to Order
- Roll Call
- Approval of Minutes
- Public Comment Period (for non-agenda items, at the discretion of the Chair)
- Correspondence and Communications
- Applications
  - Unfinished Business
  - New Business
- Other Business
  - Unfinished Business
  - New Business
- Open Discussion
- Next Meeting and Adjournment

The Chairperson may modify the order of business as needed.

3.9. Rules of Order: Meetings will follow the Rules of Order detailed in enclosure (1).

3.10. Duration of Meetings: The time limit for meetings is two and one-half hours; however, upon a motion to extend and a majority pro vote, the meeting may continue one-half hour. The meeting may continue with subsequent half-hour extensions, upon majority pro votes.

3.11. Meetings of the Board, other than public hearings, are working sessions of the Board. As such, it is the Board's policy not to allow public comment or participation during the meetings consistent with Maine's Freedom of Access Law. This policy may be relaxed at the Chair's discretion when so doing would be in the Board's best interest. Examples of when this policy may be relaxed are:

3.11.1. Allowing the applicant or their agent to engage with the Board when an application is being reviewed for completeness;

3.11.2. Allowing Town staff and municipal officers to participate in Board discussions and deliberations; or

3.11.3. Allowing interested parties to an application under review by the Board to address their concerns and comments.

## 4. REMOTE PARTICIPATION POLICY

4.1. Purpose and Scope: Remote participation by members of the Board and of the public in any regular, special or emergency meeting and public hearings held by the Board will be in accordance with 1 M.R.S. § 403-B, any applicable Town ordinance and this section. The Board may allow its members and alternates to participate in a public meeting using remote methods only under the following conditions.

4.2. Remote Methods: Remote methods of participation means telephonic or video technology allowing simultaneous reception of information and may include other means necessary to provide reasonable accommodation to a person with a disability. Public meetings by remote methods of participation may not be conducted by text-only means such as e-mail, text messages or chat functions.

4.3. Members of the Board are expected to be physically present for public meetings except when being physically present is not practicable, including the following circumstances:

4.3.1. The existence of an emergency or urgent issue that requires the Board to meet by remote methods;

4.3.2. Illness, other physical condition or temporary absence from Newry that causes a member of this Board to face significant difficulties traveling to the publicly noticed meeting location and attending the meeting in person; and

4.3.3. The area of the Board's jurisdiction includes geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges.

4.4. The chair, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member of the Board who is unable to attend a meeting in person will notify the Chair as far in advance as possible.

4.5. The public shall be provided a meaningful opportunity to attend by remote methods when any member(s) of the Board participate by remote methods and reasonable accommodations must be provided when necessary to provide access to individual with disabilities.

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4.6. If the Board allows or is required to provide an opportunity for public input during the meeting, an effective means of communication between the members of the Board and the public must be provided.

4.7. Notice of all public meetings must be provided in accordance with 1 M.R.S. § 406 and any applicable statute, policy, regulation, or bylaw. When the public may attend by remote methods, notice must include the means by which members of the public may access the public meeting using remote methods and will provide a method for disabled persons to request necessary reasonable accommodation to access the public meeting. The notice must also identify a location where the public may attend the meeting in person. The Board will not limit public attendance solely to remote methods except in the case of the existence of an emergency or urgent issue that requires the Board to meet using remote methods of attendance.

4.8. A member of the Board who participates in a public meeting remotely will be considered present for purposes of a quorum and voting.

4.9. All votes taken during a public meeting using remote methods must be taken by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Board and the public.

4.10. The Board must make all documents and other materials considered by the Board at the meeting available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the Board. Therefore, last minute submission of documents and other materials to the Board after the deadline for submission of these in advance of each meeting is prohibited unless those documents and materials also can be made available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to the public who attend in person.

## **5. CONFLICT OF INTEREST AND BIAS**

5.1. Consanguinity: a board member is typically considered to have a conflict of interest if an applicant or interested party is related to the board member within the third degree of consanguinity by blood. This also extends to the board member's spouse and household members. Enclosure (2) may be used to determine the degree of consanguinity by blood.

5.2. Pecuniary Interest:

5.2.1. A board member is generally deemed to have a direct or indirect pecuniary interest if they are an officer, director, partner, associate, employee, or stockholder of a private corporation, business, or other economic entity that has submitted an application or is an interested party to an application.

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5.2.2. In addition to § 5.2.1 a board member is generally deemed to have a pecuniary interest if they directly or indirectly own at least 10% of the stock of the private corporation or owns at least a 10% interest in the business or economic entity.

5.2.3. In cases where a Board member's pecuniary interest is so minor that a reasonable, disinterested person would agree that a conflict of interest does not exist the Board may elect to allow the member to remain seated.

5.3. Appearance of Conflict: A board member may have an "appearance of a conflict of interest" even if they do not have a direct pecuniary interest or a relationship within the third degree of consanguinity. The appearance of a conflict arises when a reasonable, disinterested person would conclude that the board member's judgment would be influenced by factors other than the merits of the application. This could include, but is not limited to:

5.3.1. Personal relationships: A close personal friendship or enmity with an applicant, their agent, or an abutter.

5.3.2. Prior involvement: The board member has previously acted as a consultant, attorney, or paid professional for the applicant on the specific project under review.

5.3.3. Business dealings: Recent or ongoing business transactions with the applicant, their agent, or an abutter that could create an impression of favoritism or bias.

5.3.4. Advocacy: The board member has publicly expressed a strong opinion for or against the application prior to the public hearing.

5.4. Disclosure and Abstention:

5.4.1. Disclosure: A board member who believes they may have a conflict of interest, a pecuniary interest, an appearance of a conflict, or a bias must immediately disclose the nature of the potential conflict or bias to the board at the beginning of the discussion on the application. The board member must not participate in the discussion or vote until the board has determined whether a disqualifying conflict exists.

5.4.2. Abstention: If the board, through a majority vote of the remaining members, determines that a conflict of interest or bias exists, the board member must immediately recuse themselves from the proceedings. The disqualified member must physically remove themselves from the board's table or dais and must not participate in any further discussion, deliberation, or voting on the matter. The abstaining member must also avoid any communication with other board members or staff regarding the application during the period of recusal.

5.4.3. Challenge by a third party: Any interested party may challenge a board member's ability to participate on the grounds of conflict or bias. The challenge must be made in writing or stated on the record at the beginning of the discussion of the

application. The board member being challenged may offer a rebuttal, and the remaining board members will then vote to determine if a conflict exists. The board member being challenged shall not vote on the matter of their own recusal.

5.4.4. Decision on Recusal: The board's decision regarding a member's recusal for conflict of interest or bias should be based on the facts presented and the principles outlined in this section and in state law. The board's decision shall be noted in the minutes.

## 6. EX PARTE COMMUNICATIONS

6.1. Definition: An *ex parte communication* is any oral or written communication concerning the merits of a matter pending before the Board, made to a Board member by any person or party interested in the matter, outside of a public meeting or hearing, and without the knowledge or opportunity for all other interested parties to participate. This includes, but is not limited to, discussions, emails, phone calls, or receipt of documents related to a specific application or issue that is or may come before the Board.

6.2. Prohibition: Board members shall not engage in, solicit, or accept *ex parte* communications regarding any matter pending or reasonably expected to come before the Board. The purpose of this prohibition is to ensure fairness, transparency, and due process for all parties, and to prevent any appearance of impropriety or bias.

6.3. Disclosure of Inadvertent Communications: If a Board member inadvertently receives an *ex parte* communication, the member shall:

6.3.1. Immediately terminate the communication.

6.3.2. Disclose the communication fully and publicly at the next scheduled meeting or hearing related to the matter. This disclosure shall include the substance of the communication, the identity of the person making the communication, and the date and manner in which it was received.

6.3.3. Place any written communications received into the public record for the matter.

6.3.4. The Board may, at its discretion, allow other parties an opportunity to respond to the disclosed communication.

6.4. Recusal: If an *ex parte* communication is of such a nature that it would prevent a Board member from rendering a fair and impartial decision, or if the member believes they can no longer objectively consider the matter, the member shall recuse themselves from further participation in that matter.

## 7. RECONSIDERATION OF DECISIONS

7.1. Purpose and Scope: The purpose of this section is to establish the procedures and criteria for the reconsideration of decisions made by the Board. Reconsideration is an extraordinary measure intended to address significant errors or improprieties, and not merely to provide an opportunity for re-argument of issues previously considered and decided.

7.2. Time Limit for Requesting Reconsideration: A motion for reconsideration of a decision of the Board may only be made within one (1) meeting cycle of the Board following the meeting at which the decision was made, or within twenty-one (21) calendar days of the date the decision was made, whichever occurs first. The "meeting cycle" shall be defined as the period between regularly scheduled Board meetings.

7.3. Eligibility to Propose Reconsideration: A proposal to reconsider a decision may only be made by a Board member who voted on the prevailing side of the original vote.

7.4. Basis for Reconsideration: A proposal to reconsider a decision must be presented in the form of a motion and shall clearly state one or more specific findings of fact which support one of the following grounds for reconsideration:

7.4.1. Factual Errors: The record of the decision contains significant factual errors due to fraud or mistake regarding facts upon which the decision was based, and these errors materially affected the outcome of the decision; or

7.4.2. Legal or Procedural Errors: The Board misinterpreted the applicable ordinance, followed improper procedures during the decision-making process, or acted beyond its jurisdiction in making the decision.

7.5. Procedure for Reconsideration:

7.5.1. A motion to reconsider shall be made during a regularly scheduled meeting of the Board.

7.5.2. The motion shall be seconded by another Board member.

7.5.3. The Board shall vote on whether to reconsider the decision. A majority vote of the members present and voting shall be required to approve reconsideration.

7.5.4. If the motion to reconsider is approved, the Board shall then proceed to reconsider the original decision. The scope of reconsideration shall be limited to the grounds stated in the motion for reconsideration. The Board may, at its discretion, allow for additional public comment or presentation of evidence strictly limited to the stated grounds for reconsideration.

7.5.5. Following reconsideration, the Board shall vote again on the original matter, which may result in affirming, modifying, or reversing the original decision.

## 8. PROCEDURES FOR APPLICATIONS

8.1. Pre-Application Conference: The Board will follow the pre-application procedures outline in Ref. (B) § 9 and this subparagraph. The Board and Town staff shall encourage potential applicants to seek a pre-application conference.

8.2. Application Submission: All applications for review by the Board shall be submitted to the Town Office in the format and with the required information as specified in Ref. (B) and application checklists. Applications shall be deemed complete only when all required information is provided.

8.3. Completeness Review: Upon receipt of an application, the Board shall conduct a completeness review. The applicant shall be notified in writing of any deficiencies. The Board may vote to accept an application as complete for processing, or deem it incomplete.

8.4. Staff Review: Applications may be reviewed by municipal staff (e.g., Code Enforcement Officer, Public Works) and other relevant town departments or consultants, who may provide written reports or recommendations to the Board.

8.5. Public Hearings: Public hearings shall be held for applications as required by state law or Ref. (B) (e.g., subdivision, site plan review, conditional use permits).

8.5.1. Notice of Public Hearing: Notice of public hearings shall be given in accordance with state law and Ref. (B).

8.5.2. Hearing Procedure: Conduct of the hearing will be in accordance with Ref. (B) and the Maine Municipal Association Handbook for Planning Boards and Boards of Appeal.

8.5.3. Hearing Conclusion: The Chairperson shall close the public hearing. Once closed, no new public testimony or evidence will be accepted, unless the hearing is reopened by a vote of the Board.

8.6. Board Deliberation: After the public hearing is closed, or after presentation and discussion for items not requiring a public hearing, the Board shall deliberate. Deliberation shall be based on the evidence presented in the record, including application materials, staff reports, public testimony, and applicable state and local laws and ordinances. The public, including the applicant, do not participate in the deliberations unless responding to a question from the Chair.

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8.7. **Decision:** The Board shall make decisions based on findings of fact and conclusions regarding compliance with applicable review standards. Decisions shall be made by majority vote of the members present and voting. The Board may:

- **Approve:** Approve the application.
- **Approve with Conditions:** Approve with specific conditions necessary to ensure compliance with ordinances or mitigate impacts.
- **Deny:** Deny the application, stating the reasons for denial based on specific ordinance criteria not met.
- **Table/Continue:** Table the application or continue the discussion/hearing to a future meeting. Requests for continuance from applicants should be made in advance, if possible.

8.8. **Written Decision:** All decisions of the Board shall be rendered in writing and made available to the applicant and the public within a reasonable time frame. The written decision shall include findings of fact and conclusions based on the evidence presented and the applicable standards.

## 9. APPEALS

9.1. **Right to Appeal:** Any person aggrieved by a decision of the Board may appeal the decision as detailed in Ref. (B) and the Town of Newry Board of Appeals Ordinance.

9.2. **Appeal Process:** Appeals must be filed within the time frame and according to the procedures specified in state law and municipal ordinances.

## 10. AMENDMENTS TO RULES

These Rules of Procedure may be amended by a majority vote of the Select Board.

**ADOPTED BY THE NEWRY SELECT BOARD ON [DATE OF ADOPTION]**

Enclosure (1) Simplified Rules of Order for the Newry Planning Board Working Sessions  
(2) Table of Consanguinity

# Simplified Rules of Order for the Newry Planning Board Working Sessions

References: (A) Town of Newry, Maine, Planning Board Ordinance, originally adopted September 21, 1987, last amended June 8, 2021

These rules are designed to facilitate efficient, collaborative, and transparent discussions and decision-making during the working sessions of the Newry Planning Board. They are a modified blend of established parliamentary principles and consensus-building practices, tailored for a small board operating in a rural municipal setting. These rules are **not** intended for public hearings, which may require more formal procedures.

## 1. Core Principles

- 1.1. Purposeful Discussion: Meetings shall focus on the agenda items to achieve specific outcomes.
- 1.2. Respectful Engagement: All members and alternates shall treat each other's viewpoints with respect, fostering an environment where all feel comfortable contributing.
- 1.3. Transparency: All proceedings shall adhere to the spirit and letter of Maine's Freedom of Access Act (FOAA).
- 1.4. Efficiency: Discussions should be concise and move towards clear decisions or next steps.

## 2. Meeting Conduct

- 2.1. Call to Order and Quorum
  - 2.1.1. Meetings shall be called to order by the Chair (or Vice-Chair in the Chair's absence) at the scheduled time.
  - 2.1.2. A quorum, as defined by Ref. (A), must be present for any formal business to be conducted or votes to be taken. Alternates present do not count towards the quorum, but their participation in discussion is encouraged as outlined below.

## 2.2. Agenda

2.2.1. A clear agenda shall be prepared and distributed to all members and alternates in advance of the meeting.

2.2.2. The agenda shall be adopted at the beginning of the meeting, and any changes require a majority vote of the members present.

## 2.3. Role of the Chair

2.3.1. The Chair shall preside over the meeting, maintain order, and ensure adherence to these rules.

2.3.2. The Chair shall recognize speakers, guide discussions, and ensure all relevant viewpoints are heard.

2.3.3. The Chair may participate in discussions without leaving the chair and may vote on all questions.

2.3.4. The Chair is responsible for clearly stating proposals and decisions.

## 2.4. Participation (Members & Alternates)

2.4.1. All Board members and alternates are encouraged to participate fully in discussions, offer insights, ask questions, and propose ideas.

2.4.2. To speak, a member or alternate should raise a hand and wait to be recognized by the Chair.

2.4.3. Each person recognized shall be given a reasonable opportunity to speak. The Chair shall ensure that everyone who wishes to speak has had an opportunity before anyone speaks a second time on the same topic.

## 2.5. Motions (Simplified)

2.5.1. A "motion" is a formal proposal for the board to take action or express an opinion.

2.5.2. Any member may make a motion. For a small board, a second is not strictly required to bring a motion to discussion, but the Chair may ask if there is general interest in discussing the proposal.

2.5.3. Motions should be stated clearly and concisely.

2.6. Discussion

2.6.1. Discussion shall be limited to the merits of the pending motion or agenda item.

2.6.2. Personal remarks are out of order.

2.6.3. The Chair may set reasonable time limits for individual speakers or for the overall discussion of an item to ensure efficiency.

2.7. Consensus-Based Review (Including Alternates - Prior to Formal Vote)

2.7.1. Before any formal vote is taken on a motion, the Chair shall facilitate a consensus-based review involving all members and alternates present.

2.7.2. The purpose of this review is to:

2.7.2.1. Gauge the "sense of the board" on the proposal (similar to Martha's Rules' "sense vote").

2.7.2.2. Identify any significant concerns or objections from members or alternates.

2.7.2.3. Explore potential modifications to the proposal that could address concerns and achieve broader agreement.

2.7.3. The Chair may use informal methods to gauge sentiment, such as:

2.7.3.1. Asking, "Can everyone present live with this proposal?"

2.7.3.2. Requesting a "thumbs up" (agreement), "thumbs sideways" (can live with it, but have reservations), or "thumbs down" (strong objection) from all present.

2.7.4. If significant concerns or objections are raised, particularly from voting members, the discussion should continue to seek a mutually acceptable solution or compromise. Even if an alternate raises a strong objection, the board should consider their perspective and discuss it, recognizing their valuable input, even though they do not vote.

2.7.5. This review phase aims to refine the motion to the point where it has the broadest possible support, minimizing dissent.

2.8. Voting (Members Only)

2.8.1. After the consensus-based review, if a formal decision is required, the Chair shall call for a vote on the motion.

2.8.2. Only appointed Board members may cast votes. Alternates do not vote.

2.8.3. Votes shall typically be taken by voice vote or show of hands. If a member requests, a roll-call vote may be taken.

2.8.4. A motion passes with a simple majority of the members voting, unless otherwise specified by law or board bylaws.

2.8.5. The Chair of the board is a regular member and has the same rights and responsibilities as all other members, including the right to vote on all motions, resolutions, and other matters before the board. The Chair's vote shall be cast at the same time as the votes of the other members. This right to vote includes, but is not limited to, the election of officers, the adoption of bylaws, and all substantive and procedural questions.

2.9. Adjournment: A meeting may be adjourned by a motion and a majority vote of the members, or by the Chair if there is no further business and no objection.

### **3. Adherence to Maine's Freedom of Access Act (FOAA)**

3.1. All meetings, including working sessions, are subject to Maine's Freedom of Access Act.

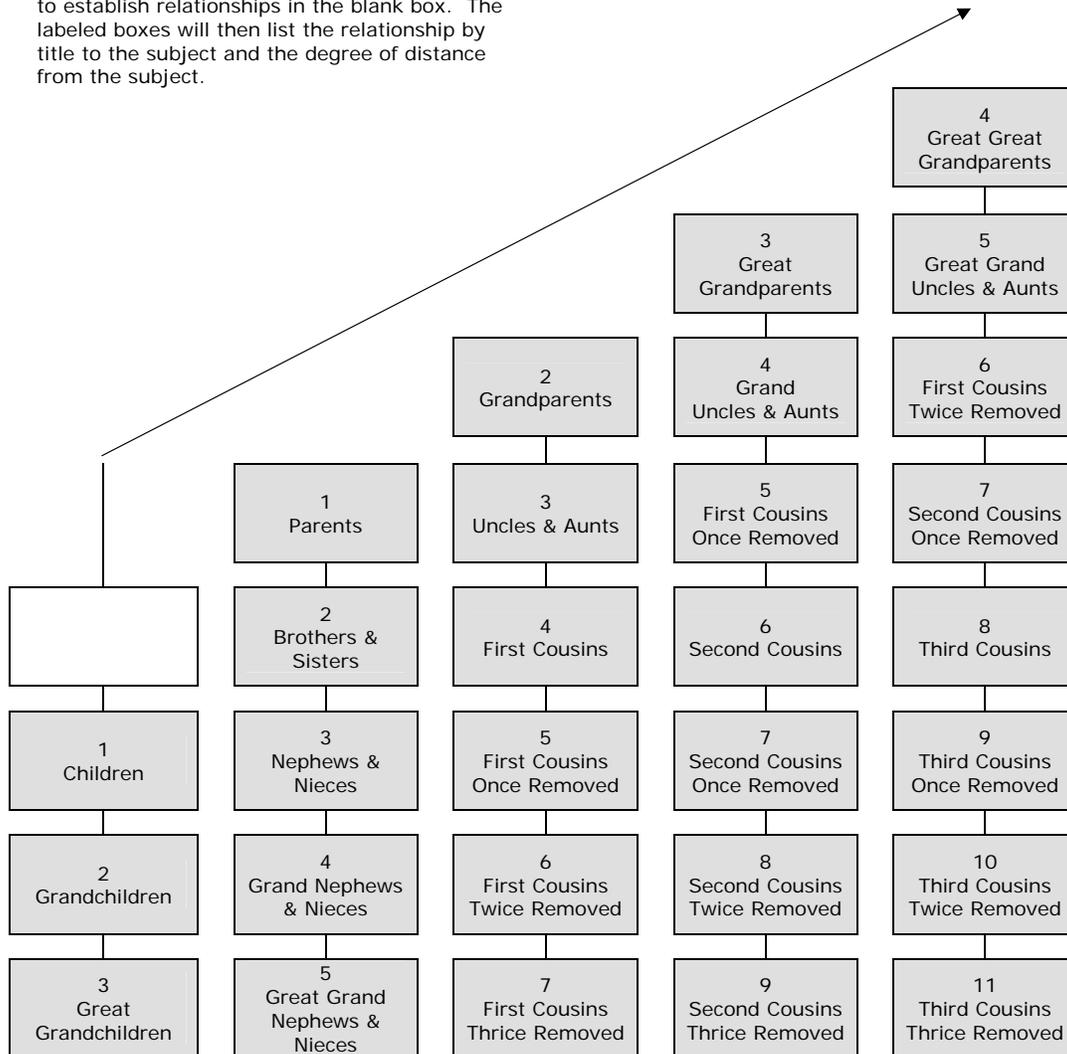
3.2. Proper public notice must be given for all meetings.

3.3. All discussions and decisions made during working sessions must be conducted openly, except for specific matters legally permitted to be discussed in executive session.

3.4. Minutes and all public documents of the board shall be accessible to the public as required by FOAA.

**TABLE OF CONSANGUINITY**  
*Showing Degrees of Relationship by Blood*

Instructions:  
 Place the subject/decedent for whom you need to establish relationships in the blank box. The labeled boxes will then list the relationship by title to the subject and the degree of distance from the subject.



# Proposal – Reorder the Sections in the UDRO

## Situation:

- The UDRO currently is composed of 25 sections of which four are empty and marked *Reserved*. The two sections at the end, Section 24, Definitions, and Section 25, Exhibits and Maps, effectively act a bookend to the document preventing the addition of additional sections. See enclosure (1) for a list of the section titles.
- Through the years new content has been added as sub-sections to Section 13, General Performance Standards, even if the new content is not a General Performance Standard.
- General Performance Standards are regulations that govern the effects or operational characteristics of a land use or development typically applying across all developments. They are not design specifications.
- There are eight sub-sections listed under Section 13 which do not fit the test of applying to all developments and should be elevated to be their own section. These eight sections are listed in enclosure (2).

## Proposal:

- Move Section 24, Definitions, to the front of the document. The general layout for ordinances used by municipalities in Maine generally have definitions towards the front. Placing definitions at the beginning of the document also tends to reinforce the importance of definitions.
- Remove Section 25, Exhibits and Maps, and add back as an appendix to the document.
- Elevate the eight sub-section in Section 13 identified above to be separate sections.
- Reorder the existing sections to improve the flow within the document and remove the blank *Reserved* sections.
- Enclosure (3) is the proposed layout of the sections.

## Comments:

Please give this proposal some thought and write them down on paper. Bring your written thoughts to our next meeting so that we may make/distribute copies to all Board members and discuss. Thank you.

To honor Maine's FOAA please do not distribute your thoughts via e-mail – save them for the meeting.

# Enclosure (1)

## Existing Organization

<b>Section</b>	<b>Title</b>
1.	GENERAL PROVISIONS
2.	PURPOSES
3.	ADMINISTRATION
4.	RESERVED
5.	CRITERIA OF APPROVA
6.	INSPECTION, VIOLATION AND ENFORCEMENT
7.	APPEALS
8.	ADMINISTRATIVE PROCEDURES
9.	PRE-APPLICATION CONFERENCE (OPTIONAL)
10.	APPLICATION PROCEDURE AND SUBMISSION REQUIREMENTS
11.	RESERVED
12.	RESERVED
13.	GENERAL PERFORMANCE STANDARDS
14.	ROAD DESIGN AND CONSTRUCTION STANDARDS
15.	PARKING AND ENTRANCE DESIGN STANDARDS
16.	RESERVED
17.	STORM DRAINAGE DESIGN AND CONSTRUCTION STANDARDS
18.	PROVISION FOR CLUSTER DEVELOPMENT
19.	PROVISION FOR PLANNED UNIT DEVELOPMENT
20.	DEDICATION AND MAINTENANCE OF COMMON LAND AND SERVICES
21.	PERFORMANCE GUARANTEES
22.	WAIVERS
23.	GROWTH MANAGEMENT DISTRICTS AND NONCONFORMANCE
24.	Definitions
25.	EXHIBITS AND MAPS

## Enclosure (2)

### Sub-Sections in *General Performance Standards* Which Don't Belong

<b>Section</b>	<b>Title</b>
13.I	Borrow Pits
13.AB	Home Occupations
13.AC	Life Safety and Fire Suppression
13.AD	Commercial Wind Energy Facilities
13.AE	Mineral Exploration or Extraction
13.AF	Wireless Telecommunications Facilities
13.AG	Solar Energy Systems
13.AH	Recreational Lodging Facilities

## Enclosure (3)

### Proposed Organization

Section	Title
1	General Provisions
2	Purposes
3	Definitions
4	Administration
5	Criteria Of Approval
6	Inspection, Violation And Enforcement
7	Appeals
8	Administrative Procedures
9	Pre-Application Conference (Optional)
10	Application Procedure And Submission Requirements
11	Growth Management Districts And Nonconformance
12	Performance Guarantees
13	Waivers
14	Provision For Cluster Development
15	Provision For Planned Unit Development
16	Dedication And Maintenance Of Common Land And Services
17	General Performance Standards
18	Road Design And Construction
19	Parking And Entrance Design
20	Storm Drainage Design And Construction
21	Borrow Pits
22	Home Occupations
23	Life Safety and Fire Suppression
24	Commercial Wind Energy Facilities
25	Mineral Exploration or Extraction
26	Wireless Telecommunications Facilities
27	Solar Energy Systems
28	Recreational Lodging Facilities
Appendix	Exhibits And Maps