

Purpose

- Provide clarity to residents and other groups/committees on how to engage in the amendment process
- Provide clarity on roles and responsibilities between the Planning Board and Select Board
- Provide a mechanism for the Select Board to evaluate all amendments before they are sent to the voters

Process

- Draft presented to Select Board in March
 - Review conducted by MMA and GPCOG and edits added to draft
- Select Board voted to move forward as a policy, not a LUO amendment
 - Draft to sent to legal for review
- Issue item
 5. Notwithstanding the provisions of Subsection 1 above, the Planning Board may initiate the amendment process by recommending non-policy, administrative Ordinance amendments without prior referral from the Select Board.

Statutory Authority

****Planning Board has no statutory authority to initiate or propose amendments to the LUO****

- Item 5 would be granting new authority, therefore that item must be an ordinance, not a policy
- Two areas addressed in statute
 - Quasi-judicial role in the review of subdivisions
 - Our LUO provides the added role of Site Plan Review
 - Process and procedure relating to LUO amendments
 - Public Hearing responsibility

Policies

Rules that guide the governing body and/or administrative body

- Cannot conflict with town charter, town ordinances, or state statutes
- Impacts: The governing body and the committees/boards/commissions and administrative staff it oversees
- Vote required: Simple majority of the Select Board

Ordinances

- Laws of the Town
 - Cannot conflict with town charter or state statutes (or Comprehensive Plan in the instance of land use ordinances)
- Impacts: All residents
- Vote required: Town Meeting or secret ballot
 - Requires Public Hearing and a majority vote by Select Board to send to a warrant article

Updated Draft

- Legal has reviewed and updated the draft LUO amendment
- Draft would be an update to Section 1.7
 - Includes all the original intent under Purpose
 - Includes clarity on timelines
 - Provides the ability to add a fee schedule for certain activities

Next Steps

- Select Board to review and decide if they wish to carry this into the next year
- If so
 - Recommend edits/changes/additions
 - Vote to send to Town Planner for review
 - Future meeting

Bylaws

Rules that guide a board/committee/commission

- Cannot conflict with town charter, town policies, town ordinances, or state statutes

Impact: Only that body

Vote required: Simple majority of the body