

Chapter 12.2

PLANNING BOARD ORDINANCE*

* **Editors Note:** At the direction of the town, provisions enacted by §§ I--VIII of an ordinance adopted and effective March 6, 1995, have been included as a chapter in this Code, and designated at the discretion of the editor as Ch. 12.2, §§ 12.2-1--12.2-8.

Cross References: Administration, Ch. 2; buildings and building regulations, Ch. 5; marine activities, structures and ways, Ch. 11; zoning ordinance adopted by reference, App. A, § 1.

Sec. 12.2-1. Establishment and authority.

The Planning Board of the Town of Brunswick is hereby created and constituted under the provisions of the Maine Constitution and by Title 30-A, Section 3001 and Section 4301 and subsequent, as they may be amended.

(Ord. of 3-6-95, § I)

Sec. 12.2-2. Appointment, tenure, vacancy.

The planning board shall consist of seven (7) members appointed by the town council. They shall be residents of the Town of Brunswick and shall serve without compensation.

- (a) A town councilor may not be a member of the planning board.
- (b) The term of office of each member shall be three (3) years. The terms of office shall be staggered and shall expire on February 23.
- (c) The board shall annually elect a chair and a vice chair, and may create and fill such other offices as it may determine. Officers shall serve one-year terms and shall be eligible for re-election.
- (d) A quorum shall consist of any four (4) members. The board shall act by majority of those present and voting.
- (e) When there is a permanent vacancy, the town council shall appoint a person to serve for the unexpired portion of the term.
- (f) A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a resident of the town, or when a member fails to attend without cause, as determined by the town council, four (4) consecutive regular meetings, or fails to attend without cause, as determined by the town council, at least seventy-five (75) percent of all regular and workshop meetings during the preceding twelve-month period.

(Ord. of 3-6-95, § II; Ord. of 11-5-01)

Sec. 12.2-3. Rules and regulations

The board shall adopt rules and regulations for the transaction of its business. The board may recommend a schedule of filing fees relative to matters presented to the board sufficient to cover the administrative costs of public hearings, all of which shall be subject to modification by the town council prior to town council approval.

(Ord. of 3-6-95, § III)

Sec. 12.2-4. Duties.

The planning board shall:

- (a) Prepare proposed revisions, from time to time as needed, of the Comprehensive Plan and land use ordinances of the Town of Brunswick.
- (b) Give the public ample opportunity to be heard concerning revisions to the Comprehensive Plan and the land use ordinances of the Town of Brunswick.
- (c) Approve the naming of all streets in proposed subdivisions.
- (d) Investigate and report on any problems referred to it in writing by the town council or by the town manager.
- (e) Make studies on any area of town development as it may deem necessary.
- (f) Make recommendations to the town council concerning any projected capital improvements programs.
- (g) Submit a status report of the planning board when requested by the town council.
- (h) Recommend such contracts subject to the approval of the town council as it may deem advisable to carry out the objectives and purposes of the board.

(Ord. of 3-6-95, § IV)

Sec. 12.2-5. Interrelation of town council and planning board.

The Board shall be an advisory body to the town council and the existing Comprehensive Plan and land use ordinances of the Town of Brunswick shall not be revised or amended until the board has made a recommendation on all proposed revisions or amendments.

(Ord. of 3-6-95, § V)

Sec. 12.2-6. Savings provision.

Nothing in this chapter shall invalidate prior planning boards or actions of prior planning boards which are hereby specifically ratified and approved.

(Ord. of 3-6-95, § VI)

Sec. 12.2-7. Transition provision.

Notwithstanding Section 12.2-2(b), the town council shall appoint one new member for a term expiring February 23, 2003 and one new member for a term expiring February 23, 2004.
(Ord. of 3-6-95, § VII; Ord. of 11-5-01)

Sec. 12.2-8. Effective date.

This chapter was amended by the town council on a regular basis on November 5, 2001. The effective date of this chapter is December 5, 2001.
(Ord. of 3-6-95, § VIII; Ord. of 11-5-01)