



Raymond Planning Board
Raymond Broadcast Studio
423 Webbs Mills Road
MINUTES
Wednesday, April 13, 2016
7:00 pm

PRESENT: Sheila Bourque, Greg Foster, Robert O'Neill, Bill Priest, Bruce Sanford

ABSENT: None

STAFF: Code Enforcement Officer Chris Hanson, Town Attorney Mary Costigan, Recording Secretary Mary Quirk

1. Call to order: Chairman Robert O'Neil called the meeting to order at 07:00PM and a quorum was declared.

2. Minutes

• **January 13, 2016**

Board confirmed identity of Members making Adjournment Motion and Second

MOTION: Ms. Bourque moved to accept minutes as amended

SECOND: Mr. Sanford seconded

DISCUSSION: None

VOTE: Motion Carried (5/0)

3. New Business

a) Board Discussion regarding Chairman's summer absence

Chairman O'Neil announced plans to be absent from meetings during July, August, and September 2016. He stated his desire to continue to serve on the board and that Bruce Sanford had agreed to chair the meetings in his absence. Following discussion among board Mr. O'Neil's proposal was accepted. At the suggestion of Mr. Hanson, the board agreed to having the most senior member of the board, Greg Foster, as an alternate in case of Mr. Sanford's inability to attend a meeting.

b) Mary Costigan – Planning Board instructions and procedures

- a. Addressed reason for rules addressing specifically freedom of access, bias, conflict of interest, and written findings in view of assuring fairness and openness of all proceedings in front of the board and actions of the board and the importance of avoiding the appearance of a conflict or bias.
 - i. Reviewed conflict of interest types
 1. Conditions which require a member to recuse himself/herself
 2. Conditions which do not require recusal but warrant disclosure
 - ii. Reviewed the proper and improper uses of personal knowledge and requests for additional information or evidence
 - iii. Reviewed communications among and to board members

It is the sole right and discretion for the Planning Board to take agenda items out of order. Application materials are available for review at the Town Office during regular business hours.

Deadline for May 11, 2016 meeting is Wednesday, April 13, 2016 at 3:00 pm.

1. Freedom of access and what constitutes an open/public meeting
 2. What constitutes “the record”
 - a. Handling of public correspondence to the board
 3. What constitutes public documents
 4. Site visit protocol
 5. Executive session
 6. Email communications between board members and staff
- iv. Reviewed written decision process and procedure
- b. Ms. Costigan, board members, and Mr. Hanson discussed questions raised by members:
- i. Ms. Bourque:
 1. Circumstances when an amended application continues in process and when it requires treatment as a new application. Ms. Costigan further explained that the board also has the option to deny an application, thus requiring an applicant to reapply.
 - ii. Mr. O’Neil:
 1. Conflicts between the Comprehensive Plan and ordinance.
 2. Conflicts when a project meets the ordinance but the intent is clearly to circumvent the ordinance
 3. Unconstitutionally vague standard
 - iii. Mr. Foster:
 1. Example of fire department requirements which are not contained in ordinances

Mr. O’Neil informed the board that all changes to the ordinances had been passed by the selectmen and are to be presented at the town meeting. He asked Ms. Costigan to draft a new opening statement to be read at each Planning Board Meeting. He also asked about the need for public meeting attendees to sign in.

Ms. Costigan briefed the board on decision out of the law court stemming from a case in Camden involving conditional use appeals process whose effect is uncertain.

4. Planner Communications

5. Adjournment

MOTION: Mr. O’Neil moved to adjourn

SECOND: Mr. Priest seconded

DISCUSSION: None

VOTE: Motion Carried (5/0)

Mr. O’Neil adjourned the meeting at 8:12PM.