BY-LAWS

of the

TOWN OF BUXTON PLANNING BOARD

All business of the Planning Board shall be conducted in accord with Maine statutes, Town ordinances, the Town's Comprehensive Plan and Roberts' Rules of Order. Planning Board members shall not discuss the merits of pending or proposed applications with an applicant or any other interested parties except during workshops, public hearings or other Planning Board meetings.

Planning Board members are expected to maintain professional conduct in the review of all proposals before the Board and in all other Board deliberations. All proposals shall be examined equitably. If for any reason a member feels that he or she has a conflict of interest, either for or against a particular proposal, the member shall abstain from voting on that proposal.

The term "conflict of interest" shall be construed to mean direct or indirect pecuniary interest, which shall include pecuniary benefit to any member of the person's family. The term shall also include any other set of circumstances which a Planning Board member determines makes it impossible for that Board member to render an objective decision based solely on the merits of a given issue.

Members of the Planning Board shall be expected to be knowledgeable of Planning Board policies as set forth in these by-laws and Town ordinances, and to abide by them.

Section 1 Establishment

The Elective Buxton Planning Board was established by vote of the Town of Buxton on November 6, 1973, pursuant to Maine Revised Statutes Annotated, Title 30, Section 495.2 as amended, and Title 30, Section 1917. The text of the amended ordinances may be found in the "Town of Buxton Zoning Ordinance and Other Town Ordinances".

Section 2 Purpose

The purpose of the Buxton Planning Board shall be to assure the orderly growth and development of the Town in a manner which will protect the health, safety and general welfare of its citizens. In working toward fulfillment of this purpose, the Planning Board shall have as its principal objectives:

2.1 *To assure that all development is consistent with the provisions of the Buxton Zoning Ordinance.*

2.2 *To cooperate with all other duly elected or appointed officials of the Town in the administration of the Zoning Ordinance and related ordinances.*

2.3 *To review the Zoning Ordinance periodically and to recommend amendments as needed.*

2.4 *To encourage maximum citizen participation in the continual process of community planning in Buxton including the implementation and continuing development of the Comprehensive Plan.*

Section 3 Membership

3.1 *The Planning Board shall consist of five (5) members elected according to the provisions outlined in the Ordinance "Establishment of Elected Buxton Planning Board" enacted November 6,1976 and amended June 9, 2015.*

3.2 *Planning Board members shall be residents of the Town of Buxton.*

Section 4 Officers and their Duties

4.1 *The officers shall consist of the Chair, Vice Chair, Secretary and Treasurer.*

4.2 *The Chair shall preside at all meetings and hearings of the Planning Board. The Chair has the authority to appoint all committees, to call all work sessions and to preside over executive sessions.*

4.3 *The Vice Chair shall act for the Chair in his or her absence.*

4.4 *The Secretary shall be responsible for the Minutes and records of the Planning Board, provide notice of special meetings to the Planning Board members, arrange for proper and legal notice of hearings, attend to correspondence of the Planning Board and perform such other duties as are normally carried out by a secretary. The Secretary shall keep a record of all resolutions, transactions, correspondence, findings and determinations of the Planning Board. All records shall be deemed public and may be inspected at reasonable times.*

4.5 *The Planning Board may delegate duties regarding the recording of Minutes, arranging for notice of hearings, providing notification of special meetings to members and preparation of correspondence for the Board as is deemed necessary.*

4.6 *The Treasurer shall notify the Treasurer, Town of Buxton of all monies to be paid for legal and properly authorized obligations of the Planning Board, of monies due members for attendance at meetings and shall perform other such duties as are normally carried out by a Treasurer*

Section 5 Election of Officers

5.1 *Nomination and election of officers shall be from members of the Planning Board at the annual meeting.*

5.2 *A nominee receiving a majority vote of the Planning Board shall be declared elected and shall serve for one year or until his or her successor shall take office.*

5.3. *A vacancy of any office shall be filled immediately by regular election.*

Section 6 Voting Procedures.

6.1 *No Planning Board member shall vote or propose an action upon any matter in which he or she has a conflict of interest.*

6.2 *Any question of conflict of interest sufficient to disqualify a Planning Board member for acting upon an issue, shall be decided by a majority vote of the Planning Board members present, excluding the challenged member.*

Section 7 Meetings

7.1 Regular Planning Board meetings shall be held on the second and fourth Monday of each month except July and December.

7. 2 Regular Planning Board meetings shall not be scheduled for July and only one (1) meeting will be scheduled for December except as provided in Section 7.3 below.

7. 3 The Chair shall call special meetings as he or she deems necessary or when requested to do so by a majority of the Planning Board members, provided that twenty-four hours notice is given to all members.

7. 4 When the regular date of any Planning Board meeting falls on a national holiday, the meeting may be held on an alternate date.

7.5 The annual meeting of the Planning Board shall be held at the first regular meeting following the municipal election each year.

7.6 The meeting place shall be the Buxton Municipal Building unless public notice is given at least seven days prior to the meeting date.

7.7 All meetings in which action is taken shall be open to the public.

7. 8 The Chair or Vice Chair shall preside at all Planning Board meetings. If both the Chair and Vice Chair are absent, then the remaining three (3) Planning Board members shall vote to determine who will be acting Chair for the meeting.

7. 9 Three (3) Planning Board members shall constitute a quorum to conduct an official meeting.

7.10 The order of business at regular Planning Board meetings shall be as follows: (amended 10/95)

1. *Call to order*
2. *Pledge of Allegiance*
3. *Applicant Review*
4. *Code Enforcement Officer's report*
5. *Approval of Minutes*
6. *Approval of Bills*
7. *Communications*
8. *Other business*
9. *Attendees may address the Board on the evening's business*
10. *Adjourn*

7.11 The Planning Board shall hold site walks as deemed necessary. If a site walk is necessary, the Board, at its discretion, may postpone the site walk due to unsafe conditions or inclement weather. During the moths of November – April, the site walk may be postponed if there is more than four (4) inches of snow on the ground. Once the ground is cleared, a site walk will be held at the Board's discretion.

Section 8 Hearings

8.1 In addition to those required by law, the Planning Board may, at its discretion, hold public hearings when it determines that such hearings will be in the public interest.

8.2 Notice of such hearings shall be published in a newspaper of general circulation in Buxton at least seven days before the date of the hearing.

8.3 *The case before the Planning Board shall be presented in summary by the Chair or a designated member.*

8.4 *Parties in interest shall have privileges of the floor.*

8.5 *A record shall be kept of the proceedings of the hearing, including the identity of all who speak.*

8.6 *The Planning Board may establish practices and procedures for public hearings consistent with due process.*

Section 9 Amendments

9.1 *A proposal for amendment of these Bylaws may be submitted by any member at any regular meeting. Such proposal shall be in writing. The proposal may be acted upon at the next regular Planning Board meeting.*

9.2 *The proposal shall be accepted as an amendment if approved by a majority of the Planning Board members.*

Approved by vote of the Planning Board on August 10, 1998
Amended by vote of the Planning Board on September 10, 2007
Amended by vote of the Planning Board on August 25, 2008
Approved by vote of the Planning Board on August 10, 2009
Approved by vote of the Planning Board on August 9, 2010
Approved by vote of the Planning Board on August 8, 2011
Approved by vote of the Planning Board on August 11,2014
Approved by vote of the Planning Board on September 28,2015
Approved by vote of the Planning Board on August 22,2016
Approved by vote of the Planning Board on August 28,2017
Approved by vote of the Planning Board on August 13,2018
Amended by vote of the Planning Board on March 11,2019
Amended by vote of the Planning Board on September 28,2020
Approved by vote of the Planning Board on July 12,2021
Amended by vote of the Planning Board on February 28,2022
Amended by vote of the Planning Board on October 26,2026

Signed: November 9,2026

Craig Lefebvre, Chair

Scott Warchol , Vice Chair

Travis Letellier, Secretary

Roger Tracy, Treasurer

Jerimiah Ross

