



6a. Summary of Planning Board Responsibilities

In follow-up to the discussion last month, below is a summary of Planning Board responsibilities provided by Town Attorney Robert Eschenfelder. It includes information from his presentation in August 2021, with additional clarification based on questions from the July 12, 2022 meeting. The Planning Board responsibilities are as follows:

1. The only two sources of Town law the Planning Board is charged with reviewing are the Town's Comprehensive Plan and Appendix A (the Town's zoning code).
2. Any amendments to Appendix A are within the Planning Board's purview to review, even in the technical sections (e.g., setbacks, screening walls), but the only criteria that can be used to evaluate the amendments is whether they're consistent with the Comprehensive Plan, and whether the language is stated clearly.
3. The Planning Board may find that a given proposed technical specification or setback is, in its opinion, inconsistent with some provision in the Comprehensive Plan. In that setting, the Board may make a recommendation on a technical specification, but that recommendation would need to be tied to the Comprehensive Plan, as opposed to the Board members' collective opinions that it isn't a "good" specification.
4. The Planning Board can propose revisions to the amendment language for clarity and consistency.
5. It is a valid question for the Planning Board to want to be sure language they are recommending will be "implementable" (able to be understood by owners and applied by the Building Official). It's the Town Planner's responsibility to take such questions back to the Building Official and then at the next meeting convey the Building Official's responses. If the Planning Board desires to have the Building Official attend a Planning Board meeting, since there would be an associated cost to the Town, the request would need to be approved by the Mayor.
6. The Town Commission always has the right to ask the Planning Board to review any other proposed code revision if the Commission believes the Board's input would be important to receive. However, unless asked to conduct such a review by the Commission, the Planning Board has no role in reviewing the other chapters of the Town Code.
7. As individual citizens, Board members are always free to come to a Commission meeting and provide input on a given proposed code change.

Attachment: Memo from Town Attorney dated August 16, 2021