

**REORGANIZATION OF THE
TOWN OF MOUNT DESERT PLANNING BOARD**
As amended March 4, 1997
As Further Amended May 3, 2016

1. Establishment

Pursuant to Me. Const. Art. VIII-A and 30-A MRS Section 3001, the Town of Mount Desert hereby establishes the Town of Mount Desert Planning Board. The Planning Board shall also serve as the Municipal Reviewing Authority of Subdivisions pursuant to 30-A MRS Section 4403.

2. Appointment

A. Planning Board members shall be appointed by the Board of Selectmen and sworn in by the clerk or other person authorized to administer oaths.

B. The Board shall consist of five (5) members and two (2) alternate members, all legal residents of the Town of Mount Desert. The Board shall elect annually a chairman, a vice-chairman, and executive secretary from its membership.

C. The term of each member shall be three(3) years, except the initial appointments which shall be for one (1), two (2), and three (3) years respectively, recognizing the existing appointments of the Planning Board members as they exist prior to January 1, 1991.

D. When there is a permanent vacancy, the municipal officers shall within sixty (60) days of its occurrence appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a voting resident of the Town. The Board of Selectmen may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing.

3. Organization

A. The chairman or his designee shall call meetings of the Board as required. The chairman shall also call meetings of the Board when requested to do so by a majority of the members or by the municipal officers. A quorum for the Planning Board shall be at least three (3) members, standing or alternate, for conducting business. The chairman or his designee shall preside at all meetings of the Board and be the official spokesman of the Board.

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B1. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is being challenged.

B2. When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the chairman, the chairman shall designate an alternate member to sit in his stead.

B3. An alternate member may attend all meetings of the Board and participate in its proceedings but may vote only when he has been designated by the chairman to sit for a member.

C. Voting shall be determined by simple majority of those present at any meeting, except that at least three (3) votes are required for passage of any motion.

D. The Board shall adopt rules for transaction of business and shall keep a permanent record of its resolutions, transactions, correspondence, findings and determinations. The Town will provide clerical assistance for this function. In the absence of its won adopted rules, Roberts Rules of Order, latest edition, will be used. All records shall be deemed public and may be inspected at reasonable times.

E. The Board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

4. Scope of Authority

The Board shall perform such duties and exercise such powers as are provided by the Town of Mount Desert Land Use Zoning Ordinance (LUZO) and the Subdivision Ordinance and the laws of the State of Maine. It may also make recommendations to the Board of Selectmen and the Comprehensive Plan Committee as may be appropriate.

5. Compensation

Subject to annual appropriation at Town Meeting, all members of the Board (including associate members) shall receive compensation equivalent to \$3,000.00 annually if the member attends all meetings of the Board in that year, or a prorated sum of \$3,000.00 based upon the number of meetings the member actually attends and the total number of meetings of the Board in that year.