

**TOWN OF BARRINGTON, RI
PLANNING BOARD
BY-LAWS & RULES OF PROCEDURE**

Adopted March 5, 2024

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Article I - Officers

Section 1

The Officers of the Planning Board shall consist of a Chair, Vice-Chair and Secretary.

Section 2

The Chair shall call and preside at all meetings and public hearings of the Planning Board, prepare all agendas, appoint committees as necessary and conduct all meetings in an orderly manner.

Section 3

The Vice-Chair shall perform all the duties and assume all the responsibilities of the Chair in the Chair's absence, disability, or disqualification.

Section 4

The Secretary shall assume the duties and responsibilities of the Chair in the absence, disability, or disqualification of the Chair and Vice-Chair.

Section 5

At the first meeting in July of every other year, starting in 2022, the Board shall elect from its membership a Chair, Vice-Chair and Secretary.

Section 6

A candidate for an office of the Board who received the majority vote shall be declared elected and shall serve for two (2) years or until a successor takes office.

Section 7

Vacancies in offices shall be filled immediately by regular election procedure. Newly elected officers shall serve the unexpired term until the next scheduled election.

Article II - Meetings

Section 1

Regular meetings will be held on the first Tuesday of every month at 7:00 p.m., unless changed to a different time by a majority vote of the Board.

Section 2

Special meetings may be called by the Chair. It shall be the duty of the Chair to call such a meeting when requested to do so in writing by a majority of the members of the Board or by majority vote at a regular meeting of the Board.

The notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by unanimous consent of the Board. All members of the Board shall be notified in writing not less than five calendar days in advance of such special meeting.

Section 3

Work Sessions will be held as needed and scheduled by the Board, complying with the Open Meetings Act requirements per Rhode Island General Law.

Section 4

Four (4) appointed members of the Board shall constitute a quorum at regular and special meetings. No approval shall be granted or recommendation made unless by the concurring vote of not less than four (4) members.

Members of the Board present may be counted to determine whether a quorum is present although they may abstain from voting affirmatively or negatively. Persons abstaining shall not be considered "members voting" in determining whether a question has been adopted. Members are expected to vote on matters before the Board unless that member has recused. Abstaining from a vote is discouraged, unless the issue pertains to business which took place when the member was absent.

When the vote on a question is evenly divided, the question shall be deemed to have been defeated.

Section 5

An Alternate Board member or "Alternate" shall sit in the capacity as a voting member in instances where a Full member is absent, with the First Alternate sitting for one absent member, and the Second Alternate sitting for a second absent member. An Alternate may participate in discussion of any item on the agenda but can only vote if filling in for an absent Full Member as described above. An Alternate will vote on matters including meeting minutes and amendments to the by-laws. For all other matters, an Alternate will only vote when there is an absence of a full member.

Section 6

All meetings shall be conducted in accordance with Robert's Rules of Order, except where such are inconsistent with these By-laws.

Section 7

All meetings shall be open to the general public except where permitted to be closed under the Rhode Island Open Meetings Law (RIGL42-46-1, et seq).

Section 8

All regular meetings shall adjourn no later than 11:00 p.m. unless extended beyond that time by a concurring vote of not less than four members, except that at the Chair's discretion the meeting may be extended to conclude consideration of any specific item of business begun prior to 11:00 p.m. All work sessions shall adjourn no later than 10:00 p.m. unless extended in accordance with the above procedure.

Section 9

The Chair may cancel regular meetings for cause, including by way of example and not of limitation: absence of a quorum, absence of an agenda, meeting date falls on a holiday, or an extraordinary number of regular and special meetings during the preceding 90 days. Notice of such cancellation shall be given to the members at least 24 hours in advance, if possible. If a regular meeting is cancelled, that fact and the cause shall be set forth in the minutes of the Board.

Section 10

It is the Board's practice that gender specific pronouns (she/her, he/him) not be used in Planning Board minutes. This is to ensure that all feel welcome and included and to prevent the minutes writer from guessing a speaker's preferred pronouns.

Section 11

It is the official policy and expectation of the Planning Board to have its members regularly attend Board meetings. Regular attendance is vital to conduct the business of the Board, to have a quorum of the Board, to have informed Board members and quality participation, and to respect the time and interest of the public.

Members who are unable to attend a meeting shall notify the Chair and explain the reason for the absence, at least 48 hours in advance of the meeting, if possible. Members who miss two meetings within a 12-month period without notifying the Chair will be given a written warning by the Chair prior to the regular business meeting after the most recent unnotified absence. This warning shall include notice to the member that missing a third consecutive meeting would result in consideration of a motion by the Board recommending removal by the Town Council.

Article III - Agenda: Order of Business

Section 1

The Chair shall direct the Planning staff to prepare an agenda for each meeting and post such agenda in accordance with the requirements of the Rhode Island Open Meetings Law, (RIGL42-46-1, et seq.). The deadline for regular monthly meeting agenda items shall be in accord with the Planning Board/Technical Review Committee (TRC) Meeting Schedule prepared at the beginning of each calendar year and posted by the Town Clerk. No items shall be placed on the agenda unless all required documentations have been submitted. The order of agenda items may be changed at the discretion of the Chair.

1. Call to Order
2. Roll Call and Determination of Quorum
3. Consent Agenda
4. Public Hearings
5. Old Business
6. New Business
7. Reports & Special Items
8. Comments - Board Members Reports, Council Liaison & Director of Planning
9. Adjournment

Section 2

Routine matters that do not require discussion may be placed on a consent agenda to be approved by block vote. Any Board member may request that an item be removed from the consent agenda for full Board discussion, deliberation and vote. The Consent Agenda shall consist of the following:

1. Approval of Minutes
2. Setting Performance and/or Maintenance Bonds
3. Reducing Performance and/or Maintenance Bonds
4. Report of the Administrative Officer
5. Board Attendance Report for Previous 12 Months.
6. Matters outlined in § 200-10.1 of the Land Development and Subdivision Regulations, including:

(1) The application types listed below shall be reviewed by the TRC subject to confirmation by the Planning Board:

- (a) Development plan review approval.
- (b) Preapplication review.

(2) For all such items the TRC shall conduct the full review. If an application is approved, with or without conditions, the TRC will provide written comments and a draft motion to the Planning Board for vote by consent agenda of the Planning Board. If an item is not approved by a majority vote of the Committee members, the item shall be referred to the Planning Board for continued proceedings.

The agenda for every regular meeting of the Board shall contain the following statement on the bottom of the first page:

“All items listed with a (CA) are to be considered routine by the Planning Board and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Board, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.”

Article IV - Hearings

Section 1

In addition to hearings required by law, the Board may at its discretion hold public or special hearings when it decides that such hearing will be in the public interest.

Section 2

Notice of such hearings shall be published at least once in the official newspaper of the municipality or in a newspaper of local circulation at least fourteen days before the time of public hearings.

Section 3

During the course of any Public Hearing before the Board, the Chair may, at the Chair's discretion, limit presentations and comments to a reasonable timeframe to allow all parties to participate in the public consideration of the application before the Board.

Article V - Subcommittees

Section 1

Subcommittees shall be appointed by the Chair when necessary.

Article VI –Recusal Policy with The Rhode Island Code of Ethics and Regulations

No member of the Board shall participate in the decision of the Board upon any matter in which that member is interested in a personal or financial sense as described in the Rhode Island Code of Ethics and Regulations. However, such recusal shall not limit said member as an interested citizen, from participation in the discussion, which precedes the decision of the Board upon any matter in which that member has a personal or financial interest; the Chair shall explain this publicly when a Board member who has recused himself or herself requests to speak. Board members shall disclose publicly if the member has currently engaged or has any financial relationship to an engineer, architect or other professional consultant who is appearing before the Board and state whether said member can participate and make an objective decision; a Recusal Form shall be submitted in such instances.

Article VII - Amendments

Section 1

These By-laws may be amended by a vote of five (5) Board members. All members shall be provided written notice that such amendment has been adopted by the Board.