

Planning Board Open Comment Period Policy
As Revised and Adopted – September 11, 2023

The Planning Board has a long history of accommodating public comment on nearly all agenda items. It has done so while ensuring and protecting the due process rights of applicants and members of the public on matters presently or anticipated to be brought before the Board. The purpose of this policy is to establish some foundational rules for an open comment period regarding matters that are not on the Planning Board agenda while continuing to protect the due process rights of all persons. Nothing in this policy is intended to alter the Board's long practice of allowing (at the Chair's discretion) members of the public to comment on posted agenda items. An open comment period is to encourage the public to offer ideas for future discussion and agenda items.

The Board shall have on its agenda a period for public comment regarding items not on the agenda. Although the Board may not restrict the content of the speech and therefore may not limit comments to those matters not on the posted agenda, the Chair will advise that if the matter is on the agenda the Board will be discussing it further in the meeting. Public comments on matters outside the public body's jurisdiction will not be permitted. Because they are not Constitutionally protected, the following comments shall likewise not be permitted: true threats, incitement to imminent lawless conduct, statements that were found by a court of law to be defamatory, and sexually explicit statements made to appeal to prurient interests.

This open comment period shall operate under the following conditions:

- The open comment period shall be listed at the very beginning of the meeting.
- The open comment period shall be limited to 10 minutes in total.

Persons speaking during the open comment period shall adhere to the following rules:

- Identify themselves and the topics they wish to speak about at the beginning of the open comment period.
- Persons are not to speak until authorized by the Chair.
- Comments must comply with the "Visitors Code of Conduct" adopted by the Selectboard.
- Comments are limited to 2 minutes per person.

The Planning Board has no role in Zoning Bylaw enforcement. Accordingly, the public is expected to refrain from making comments regarding allegations of zoning violations as those should be taken directly to the Building Commissioner who is the Zoning Enforcement Officer.

Comments must respect applicants' and abutters' rights of due process. Therefore, the public is expected to refrain from making comments regarding applications for approvals (Site Plan, Special Permit, Subdivision Definitive Plan, Stormwater Management Permit, or Zoning Map Amendment not requested or proposed by the Planning Board) items which are the subject of an ongoing public hearing or are reasonably expected to be subject to a public hearing and for which an application has already been received. Further, during a Board meeting, the time set aside on the agenda for a hearing is the appropriate time to raise any matter concerning the subject of that hearing, rather than during the Open Comment Period.

The Board is not anticipated to comment on any of the comments presented under this item. Following the meeting, and after completing necessary research on the items, the Planning Director will discuss with the Chair as to the appropriate meeting at which to schedule Planning Board discussion of any of the relevant/appropriate items offered in the public comment period. If members believe that they want an item included on a future agenda, they may indicate as such under “Other New Business” later in the meeting.