

Planning Board Open Comment Period Policy

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 discussions and agenda items. It is not to be used to debate current or past agenda items or items pending for future agendas.

The Board shall have on its agenda a period for public comment regarding items not on the agenda. This open comment period shall operate under the following conditions:

- 1) The open comment period shall be listed **at the very beginning of the meeting. To accommodate the Open Comment period at the beginning of the meeting, consideration of minutes and correspondence will be placed later in the agenda – depending on the agenda items, it may be placed immediately prior to the “Development Update” on the agenda or immediately after the “Open Comment” period.**
- 2) The open comment period shall be limited to 10 minutes in total
- 3) Persons speaking during the open comment period shall adhere to the following rules:
 - a. Sign up at the beginning of the meeting and list the topic they wish to speak about
 - b. Persons are not to speak until authorized by the Chair.
 - c. Comments should not be regarding any item which is on the posted agenda as the Board generally affords the public an opportunity to comment on such posted agenda items. **Any such comments under the Open Comment Period will be ruled out of order by the Chair.**
 - d. Comments must comply with the “Visitors Code of Conduct” adopted by the Selectboard.
 - e. The comments are limited to 2 minutes per person
 - f. **Location of Speaker**
 - i. **When meetings are held “in-person”,** persons are encouraged to come to the front of the room and speak from the “speakers” chair – not from their chair or position in the audience – as this will better ensure that they can be clearly heard by all present and those who may watch the recording of the meeting. Whether or not persons may address the Board from their position in the audience is at the discretion of the Chair **(based on their determination of how it does or does not disrupt the functioning of the**

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Board - whether or not it hinders the Board's or audience's ability to hear and understand the speaker, whether or not it disrupts the functioning of the meeting, etc.). This determination will likely be made based on experience the Board has with the Open Comment speakers over time. However, the Chair will make such determination uniformly and announce the determination prior to the beginning of the Open Comment Period.

ii. When meetings are held virtually, Persons wishing to speak need to notify the "host" of the meeting by either using the "raise your hand" feature, making a notation in the "QA" feature, using the "Google Form" to notify the Planning & Conservation Department staff prior to the meeting, or sending an email to the Department staff prior to the meeting. When the Chair authorizes someone to speak, the persons will be moved into the "panelist" position so that the Board members can hear and see directly from the individual.

- g. 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.
 - h. 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, the public hearing is the appropriate time in which make such comments.
- 4) The Board is not anticipated to comment on any of the comments presented under this item. Rather, all members will take the public comments which appropriately conform to the Board's policy under consideration.
- 5) Following the meeting, and after making 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; however, it should be noted that no staff research on the matter to better inform members will have been conducted.***