

**POLICIES AND ADMINISTRATIVE PROCEDURES  
OF THE  
WARREN PLANNING BOARD  
ADOPTED: NOVEMBER 19, 2012**

**Article I  
Officers**

**Section 1**

The Officers of the Planning Board shall consist of a Chairperson and Vice-Chairperson/Secretary.

**Section 2**

The Chairperson shall call and preside at all meetings and public hearings of the Planning Board, sign all documents of the Planning Board, approve all agendas, appoint committees as necessary and conduct all meetings in an orderly manner, and other duties as prescribed in the General Laws of Rhode Island.

**Section 3**

The Vice-Chairperson/Secretary shall perform all the duties and assume all the responsibilities of the Chairperson in his/her absence, disability, or disqualification.

**Section 4**

The Board may employ a Clerk to assist any officer in the performance of duties.

**Section 5**

The Administrative Officer shall arrange and prepare legal notice of hearings, in consultation with and with the approval of the Chairperson of the Planning Board. The Administrative Officer shall prepare the minutes of all regular and special meetings, sign such minutes following approval by the Board, keep accurate records of all Board meetings in an appropriate minute book and keep attendance of Board members.

**Section 6**

At the first meeting in January of each year, the Board shall elect from its membership a Chairperson, Vice Chairperson/Secretary. A candidate for an office of the Board who received the majority vote shall be declared elected and shall serve for one (1) year or until his successor shall take office. Vacancies in offices shall be filled immediately by regular election procedure. Newly elected officers shall serve the unexpired term until the next annual election. Regular monthly meeting dates for the upcoming calendar year shall be determined at the regular December meeting.

**Article II  
Compensation**

Each member of the Planning Board shall serve without compensation, but may be reimbursed, by a vote of the majority of the members, for any expenses in connection with their service on the Board.

## **Article III** **Meetings**

### **Section 1**

Regular meetings will be held on the fourth Monday of every month at 7:00 p.m. unless changed to a different date and/or time by a majority vote of the Board.

### **Section 2**

Special meetings may be called by the Chairperson. It shall be the duty of the Chairperson to call such a meeting when approved by a majority vote of the members of the Board or requested in writing by a majority of the Board members. The notice of such a meeting shall comply with the Rhode Island Open Meetings Act.

### **Section 3**

Work Sessions will be held whenever necessary. Notice shall be in accordance with RI Open Meetings Act.

### **Section 4**

Five (5) appointed members of the Board shall constitute a quorum at regular and special meetings unless stated differently in the Warren Planning Board Rules and Regulations. All votes of the Planning Board shall be made part of the permanent record and show the members present and their votes. A decision by the Planning Board to approve any land development or subdivision application requires a vote for approval by a majority of the current planning board membership. (RI General Law §45-23-63). A decision shall not be final until the plans are signed by the Chair or his designee.

### **Section 5**

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

### **Section 6**

All meetings, including workshops, shall be open to the general public as prescribed by the Rhode Island Open Meetings Act.

### **Section 7**

All regular meetings shall adjourn no later than 11:00 p.m. unless extended beyond that time by a concurring vote of the majority, except that at the Chairperson's discretion the meeting may be extended to conclude consideration of any specific items of business begun prior to 11:00 p.m. If an application/matter is not going to begin before 10:30 pm. the Board President shall notify the applicant and provide them with an opportunity to continue their matter to the next regularly or specially scheduled board meeting so long as notice of the hearing complies with the Rhode Island General Laws Open Meeting Act.

All work sessions shall adjourn no later than 10:00 p.m. unless extended in accordance with the above procedure.

## **Article IV** **Agenda Order of Business**

The Administrative Officer, on consult with the Chairperson and Solicitor, shall prepare an agenda for each meeting one week in advance of the scheduled meeting date. Completed packets of applications must submitted to the Town of Warren Planning Department no later than close of business on the Monday proceeding the Planning Board meeting, furthermore, completed packets of all application along with a copy of the agenda shall be delivered to each member of the Board no later than the Thursday preceding each meeting. No items shall be placed on the agenda unless all required documents as required per the application form, have been submitted. Later additions to an agenda must be approved by majority vote of members present at the meeting.

Documents, exhibits, and other items relative to a particular agenda item are required to be submitted with the application for inclusion in the monthly meeting packets. All items, including but not limited to additional documents, exhibits, and items from interested parties must also be submitted no later than the Monday prior to the Board Meeting. All documentation must be submitted to the attention of the Chair of the Board and will be included in the monthly meeting packets for all Board members to review. All items presented shall be marked as exhibits and the Planning Board/Administrative Officer shall maintain custody of these items in the official file/record of the agenda item.

- a. *Roll Call and Determination of Quorum*
- b. *Waterfront Overlay District Development Plan Review(s) (if any)*
- c. *Public Hearing(s) (if any)*
- d. *Call to Order*
- e. *Approval of Minutes*
- f. *Old Business*
- g. *New Business*
- h. *Reports and Special Items*
- i. *Administrative Officer Reports*
- j. *Administrative Matters*
- k. *Comments-Board Members*

The Planning Board shall not accept new material, not previously submitted at any hearing where the applicant is seeking a decision at said meeting.

## **Article V** **Hearings**

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.

## **Article VI**

### **Public Comments and Witness Statements**

Prior to the start of the Public Hearing, or at the discretion of the Chairman, all individuals testifying in favor of or in opposition to the application being heard by the Planning Board must sign the Public Hearing Comment Sheet prior to the start of the meeting. Individuals wishing to testify must provide their name, address, application they intend to speak about and whether they are in favor or opposition to the application.

Statements made by witnesses and members of the public must be limited to the scope of the application being considered by the Planning Board. It is the request of the Planning Board that individual public comment be limited to three minutes for each member of the public. At the discretion of the Planning Board an individual's public comment period may be extended past the three minute limitation.

At the conclusion of public comment the applicant individually or by and through their attorney may have the opportunity to respond to the Planning Board and summarize their application request.

## **Article VII** **Committees**

Sub-committees shall be appointed by the Chairperson when necessary.

## **Article VIII** **Recusal**

No member of the Board shall participate in the decision of the Board upon any matter in which he/she has a direct interest whether in a personal or financial sense. Each member must abide by the Warren town Charter and the decisions of the Rhode Island State Ethics Commission. It will be the responsibility of said member to complete the required form(s) as delineated by the Charter and/or the Ethics Commission.

## **Article IX** **Amendments**

These Administrative Procedures may be amended by a vote of five (5) members of the entire membership of the Planning Board. No such amendment shall be adopted unless at least seven (7) days written notice thereof has been previously given to all members of the Board.

## **Article X** **Technical Review Committee**

**Section 1. Members**

The Administrative Officer of the Warren Planning Board shall serve as the Chair of the Technical Review Committee (TRC) per the General Laws of the State of Rhode Island.

The TRC shall consist of not less than five (5) members. In accordance with the Town Charter, there shall be three (3) permanent members, the Administrative Officer, the Building Official, the Town's Engineer and one member of the Planning Board. The TRC membership may include, but is not limited to, planning department staff, other municipal staff representing departments with responsibility for review or enforcement, conservation commissioners and members of the community with expertise required to review the application.

**Section 2. Quorum and Votes**

Three (3) of the five (5) members of the TRC shall constitute an official meeting (quorum). No action shall be taken unless by the concurring vote of four (4) members.

**Section 3. Duties**

The TRC shall be responsible for review of applications for Land Development, Subdivision of Land, and Development Plan Review when requested by the Planning Board. The TRC shall provide guidance to the applicant in terms of procedure, technical requirements, and overall project design. The TRC will provide the Planning Board with written comments and recommendations for action. All action taken by the TRC shall be advisory to the Planning Board.

**Section 4. Meetings**

Meetings shall be held on the second (2<sup>nd</sup>) Thursday of the month at 7:00 p.m. unless changed to a different date and/or time by a majority vote of the members sitting for that specific application and shall comply with the deadlines set forth in RI General Law 45-23 as it pertains to subdivisions and major land development projects. All meeting shall comply with the provisions of the Rhode Island Open Meetings Law.

**Section 5. Agendas**

Agendas of the TRC shall be prepared by the Administrative Officer of the Warren Planning Board in writing and shall be posed in accordance with the procedures for posting of agendas for as prescribed in the Rhode Island Open Meetings Act.

**Section 6. Notification**

The applicant shall be notified by the Administrative Officer of all meetings of the TRC at which discussion and/or action on their application will take place. Notification to the applicant or his/her authorized representative shall be in writing not less than 48 hours prior to the scheduled TRC meeting.

**Section 7. Minutes**

The Administrative Officer shall keep written minutes of all TRC meetings. Copies of all such minutes shall be forwarded to the Planning Board and shall be kept as part of the permanent documentation on the development application.

**Article XI**  
**Decisions**

When a vote of the Planning Board or the TRC has been taken, the plans/documents upon which that was based shall be signed and dated by the presiding officer and such plans/documents shall be the official record for the next phase of the process and forwarded to the Planning Board.

**Article XII**  
**Waterfront Overlay District**

The Warren Planning Board is established as the development plan review body for the Waterfront Overlay District, pursuant to the Rhode Island General Laws, §45-24-49 and Section 32-147 of the Warren Zoning Ordinance. An ex officio non-voting member of the Warren Voluntary Historic District Committee shall be invited to serve as a member of the Waterfront Overlay District Commission. The Planning Board, sitting as the Warren Voluntary Historic District Commission, shall review all development and demolition in the Waterfront Overlay District pursuant to the procedures, requirements, and standards of Article XXVI of the Warren Zoning Ordinance. The concurring vote of the majority of the review board membership shall be necessary to approve an application.

Upon receipt of a completed application the Board shall schedule a public hearing. Notice of such hearing shall be published in a newspaper of general circulation in the Town of Warren at least fourteen (14) days prior to the date of the public hearing and at the same time, notice of such hearing shall be mailed to the applicant, owners of land within two hundred (200) feet of the property involved and to other persons deemed by the Board to be affected by the action on said application. The cost of notification shall be borne by the applicant. Any party may appear to be heard at the public hearing in person or by agent or attorney.

**Article XIII**

These policies and procedures shall become effective upon the vote of a majority of the Planning Board. Any conflict that may arise between these Policies and Procedures and the Rules and Regulations, the Rules and Regulations shall govern.