

**WESTBROOK PLANNING BOARD  
TUESDAY, APRIL 7, 2020, 7:00 P.M.  
TELECONFERENCE MINUTES**

**Chairman Rene Daniel** opened the Planning Board meeting.

In accordance with Public Law Chapter 617 adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and signed into effect by Governor Mills, 1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19.

**1. Call to Order**

**Roll Call attendance:**

<b>Jason Frazier (Ward 2)</b>	<b>present</b>
<b>Joseph Marden (Ward 3)</b>	<b>present</b>
<b>Robyn Tannenbaum (Ward 4)</b>	<b>present</b>
<b>Rd Reidman (Ward 5)</b>	<b>present</b>
<b>John Turcotte (At Large)</b>	<b>present</b>
<b>Nancy Litrocapes Alternate)</b>	<b>present</b>
<b>Larry McWilliams (Alternate)</b>	<b>present</b>
<b>Vice Chair Rebecca Dillon (Ward 1)</b>	<b>present</b>
<b>Chairman Rene Daniel (At Large)</b>	<b>present</b>

**For the record, the following Staff are in attendance:**

**Jennie Franceschi, Planning and Code Director**  
**Rebecca Spitella, Assistant Planner**  
**David Finocchietti, Code Enforcement Officer**

**NEW BUSINESS**

**2. City Planner Business**

- a. **Approving remote access public meetings and adopting rules of procedure for remote access meetings.**

**Jennie Franceschi** explained the purpose and process of holding a remote Planning Board meeting during this state of emergency.

**Planning Board Remote meeting roles and responsibilities:**

- 1) **Barry Dodd** - Host
  - a. Will put up the Planning Board screen prior to start of meeting.

- b. Once Chair is ready to start – signal with raise hand, Barry will make video live and start recording meeting.
  - c. Barry will send the broadcast to Facebook live. (with statement that to participate you must join the Zoom meeting via the link provided.)
  - d. Barry will adjust screen depending on presentations or Board discussion (Check that Panelist can share screens as well.)
  - e. Once meeting is closed by the Chair, Barry will stop the broadcast video & audio and put back up the “Planning Board Screen” for public viewing.
  - f. Barry will take care of meeting recording and will have it run on cable access at a future time as well as have it available on our website for viewing.
- 2) **Jennie Franceschi** – Co-Host - Facilitator
- a. Will work with Chair on meeting flow/format
  - b. Will assist Board members with mics
  - c. Change Roles for Applicants to be Panelists during their items then change back to an attendee
  - d. Will monitor hand raising for attendees and Board members for Chair during Public Hearings
  - e. Resource on applications
  - f. Answer questions live from the Board/public as necessary
- 3) **Rene Daniel** – Chair
- a. Run meeting
  - b. Determine voting members at beginning of the meeting
  - c. Introduces items, presenters
  - d. Opens/Closes Public Hearings – Request any commenters to state, name and address
  - e. Call for Motions/Vote
- 4) **David Finocchietti** – Panelist – Presentations
- a. Share screen for presentation materials (For Large Projects Applicant will run)
  - b. Provide GIS views of projects – virtual tours
- 5) **Rebecca Spitella** – Panelist – Public Record answers/Comments
- a. Monitoring Q&A
  - b. Reads into the record any comments provided in advance of the meeting
- 6) **Linda Gain** – Panelist – Minutes documenter – Voting
- a. Document minutes – if there is an issue – raise hand and we will stop meeting to address
  - b. Upon request of the Chair – call the vote per person to document accordingly

### **General Planning Board Flow: April 7, 2020**

- 1) **Call to Order**
  - a. Chair Opens meeting

2) **Roll Call attendance**

- a. Asks Linda take attendance via roll call
- b. Ensures mics/videos are working

3) **New Business:**

- a. Ask Becca to read it into the record
  - i. Remote Access Public Meeting Rules of Procedure

4) **Functionality of the online system**

- a. Chair asks Jennie to walk through
- b. Jennie will ask all PB members to open up the **Participant page**
  - i. View the list of the panelists and attendees.
  - ii. See the function of Raising Hand to get the attention of the Chair – All members try.
- c. David can share screen of documents (Policy Doc & Public Participation Document)
- d. Walk through the **Public Process**
  - i. Document was provided to the public on hold to participate in the process during this time.
  - ii. Highly suggested submission of comments in advance to be read into the record. Becca would read these into the record
  - iii. Attendees to the meeting will be afforded during the public hearing portion of the meeting to “raise their hand” to be called on for comments or questions.
    - 1. Alternatively, attendees can submit questions via the Q&A section of the webinar. Those questions would only be read during the public hearing portion of the meeting for the specific item. Please include your name, address in the Q&A for documenting the questions in minutes.
    - 2. Becca can monitor Q&A
  - iv. For those attending via the call-in line – to raise your hand you must press \*9. We will ask for your name to change your phone number. (Ability to hide the number in settings)

5) **Board Comments**

- a. Chair asks the Board – can either walk through every member or use hand raise function.

6) **Q&A from public**

- a. Chair opens up the floor to public

- i. If a hand is raised in the attendee, Chair can recognize to allow comments
- ii. Becca can read questions from Q&A into the record and we can answer live.

7) **Motion**

- a. Chair calls for a Motion & Second on the Remote Policy
- b. Chair asks **Linda** to take the Roll Call Vote

8) **Close Meeting**

- a. Chair calls for a Motion & Second
- b. Chair asks **Linda** to take the Roll Call Vote

**PURPOSE**

The purpose for remote access meetings is to allow the conduct of Planning Board meetings during the state of emergency declared by Governor Mills.

**AUTHORITY**

In accordance with Public Law Chapter 617 adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and signed into effect by Governor Mills, 1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19.

Westbrook Planning Board meetings conducted in accordance with these provisions shall be subject to the following Rules of Procedure.

**PLATFORM**

The Planning Board shall utilize “Zoom” as its platform for remote participation by both the Board and the public. Recordings of the meetings shall be posted to the City website. Instructions for use of the platform shall be included on the meeting agenda and on the City’s website.

**MEETING NOTICE**

Notice of these public meetings will be posted to the City website and the City’s Facebook page.

**FACILITATOR**

To coordinate these public meetings in the online environment, the City Planner or a member of the Planning and Code Enforcement Department shall be the designated facilitator for all Planning Board meetings held in accordance with these provisions. The facilitator shall read all items into the record, and Board members shall provide motions. The Chair will run the meeting.

**PLANNING BOARD/ADMINISTRATION PARTICIPATION**

Westbrook Planning Board and staff of the City Planning & Code Enforcement Office participating in the public meeting will participate through the Zoom platform. Board Members are encouraged to review the agenda packet beforehand and to request any additional documentation or clarification from the staff prior to the meeting, as staff members may not be immediately able to answer questions during the meeting and such information needs to be posted to the City website for public viewing.

## **ROLL CALL VOTE**

In accordance with the provisions outlined with 1 MRSA § 403-A, all Planning Board votes taken during the public meeting shall be taken by roll call vote. This includes attendance, all motions, and adjournments.

## **PUBLIC PARTICIPATION/PUBLIC HEARING**

Members of the public may be afforded the opportunity to view the meetings live online or may listen by phone, to the extent this function can be made available. Due to the constraints of the virtual environment, the public comment portion of Planning Board meetings, where live comments must be considered for inclusion in the public record, the following procedures shall apply:

- Application files will be posted online with all public comments that have been received to date so that people can receive them that way.
- Applicants' written presentations will be provided online for viewing prior to the Meeting.
- Written comments submitted prior to the meeting for inclusion in the record must be submitted to the City Planning Office (by email or Mail) and must be received by Noon of the Friday before the scheduled Planning Board Meeting to guarantee inclusion in the record. Such comments will be read by the meeting facilitator(s) and must be limited to 3 minutes in length. Comments submitted not meeting the deadline stated above, may be read into the record, recognizing that the Staff cannot guarantee their inclusion as packets must be assembled in advance of a meeting.
- Live comments may be submitted through the Zoom platform during the designated public hearing time by attendees that register through Zoom and will not be considered once the Board moves to deliberations, unless allowed by the Chair.
  - Live written comments must be submitted through the Zoom platform's Question & Answer (Q&A) function and must be limited to 3 minutes in length. Comments will be read by the meeting facilitator(s).
    - Comments specific to an application can be submitted at any time during the Public Hearing portion of the item.
  - Phone comments must be submitted through the Zoom platform and must be limited to 3 minutes in length.
    - Participants on landlines or non-smart phones will only have the ability to listen to the meeting live. In this instance, if you would like to provide comments on an application, we highly suggest submission of those comments in advance of the meeting.

## **ADJUSTMENTS TO RULES**

The City Planner or their designee shall adjust these Rules as may be necessary in accordance with State and local provisions and shall present the adjusted Rules to Planning Board for confirmation at the next Planning Board meeting.

**Natalie Burns** Jensen, Baird, Gardner, Henry confirmed the explanation that Jennie Franceschi presented was legally accurate.

**Rene Daniel** may I have a motion to approve the remote access public meetings rules and procedure?

**Rebecca Dillon** move that the Westbrook Planning Board hereby approves remote access public meetings in accordance with the provisions of Public Law Chapter 617, adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and approved by Governor Janet Mills on March 18, 2020 which amended M.R.S.A. § 403-A to permit public proceedings through remote access during the declared State of Emergency

due to COVID-19, and further finds that the Planning Board Rules of Procedure for Remote Access Meetings as stated in this Staff Memo dated March 31, 2020 are adopted in support of that approval.

**2<sup>nd</sup> by Larry McWilliams**

**Rene Daniel** any comments?

\*\*no comments

**Roll Call vote:**

<b>Jason Frazier (Ward 2)</b>	<b>yes</b>
<b>Joseph Marden (Ward 3)</b>	<b>yes</b>
<b>Robyn Tannenbaum (Ward 4)</b>	<b>yes</b>
<b>Rd Reidman (Ward 5)</b>	<b>yes</b>
<b>John Turcotte (At Large)</b>	<b>yes</b>
<b>Nancy Litrocapes Alternate)</b>	<b>yes</b>
<b>Larry McWilliams (Alternate)</b>	<b>yes</b>
<b>Vice Chair Rebecca Dillon (Ward 1)</b>	<b>yes</b>
<b>Chairman Rene Daniel (At Large)</b>	<b>yes</b>

**Motion carried 7-0**

**Rene Daniel** since there is no further business to come before the board, do I have a motion to adjourn?

**John Turcotte move to adjourn:**

**2<sup>nd</sup> by Robin Tanenbaum**

**Roll Call vote:**

<b>Jason Frazier (Ward 2)</b>	<b>yes</b>
<b>Joseph Marden (Ward 3)</b>	<b>yes</b>
<b>Robyn Tannenbaum (Ward 4)</b>	<b>yes</b>
<b>Rd Reidman (Ward 5)</b>	<b>yes</b>
<b>John Turcotte (At Large)</b>	<b>yes</b>
<b>Nancy Litrocapes Alternate)</b>	<b>yes</b>
<b>Larry McWilliams (Alternate)</b>	<b>yes</b>
<b>Vice Chair Rebecca Dillon (Ward 1)</b>	<b>yes</b>
<b>Chairman Rene Daniel (At Large)</b>	<b>yes</b>

**Motion carried 7-0**

**Adjourn**

*THANK YOU, respectfully submitted by Linda Gain [lgain@westbrook.me.us](mailto:lgain@westbrook.me.us)*