

REMOTE PARTICIPATION POLICY

TOWN OF OGUNQUIT

ZONING BOARD OF APPEALS

Pursuant to 1 M.R.S.A. § 403-B, and after public notice and hearing, the Ogunquit ZONING BOARD OF APPEALS adopts this policy governing remote participation in public meetings and proceedings.

PURPOSE

The purpose of this policy is to provide a framework for when remote participation is allowed for members of the ZONING BOARD OF APPEALS as well as members of the public and Town staff and to outline acceptable methods of remote communication.

A. LIMITED IN SCOPE

The ZONING BOARD OF APPEALS members are expected to be physically present for meetings except when being physically present is not practicable, including but not limited to the following circumstances:

1. The existence of an emergency or urgent issue that requires the full ZONING BOARD OF APPEALS to meet remotely.
2. Illness, other physical condition or temporary absence from the Town that causes a member of the ZONING BOARD OF APPEALS to face significant difficulties traveling to and attending in person.

A ZONING BOARD OF APPEALS member who is unable to attend a meeting in person shall notify the Chair as far in advance of the meeting as possible. The Chair is authorized to make a determination as to whether remote participation by the ZONING BOARD OF APPEALS or certain ZONING BOARD OF APPEALS member(s) is permissible under the circumstances.

B. REMOTE PARTICIPATION REQUIREMENTS

1. Remote Methods of Participation

The remote method of participation may be through telephonic or video technology that allows for the simultaneous reception of information and may include other means when such means are necessary to provide reasonable accommodation to a person with a disability. Methods of participation cannot be by text-only means such as e-mail, text messages or chat functions.

2. ZONING BOARD OF APPEALS

- a. A ZONING BOARD OF APPEALS member who participates in a public proceeding by remote methods is present for purposes of a quorum and voting.
- b. All votes taken during any public proceeding when one or more members of the ZONING BOARD OF APPEALS are participating by remote means shall be by roll call vote that can be seen and heard if using video technology and heard if using only audio technology.

3. Members of the Public

- a. Members of the public must be given meaningful opportunity to participate remotely when a member of the ZONING BOARD OF APPEALS is participating remotely.
- b. Members of the public and Town staff may be given the opportunity to participate remotely at any ZONING BOARD OF APPEALS meeting, regardless of whether any ZONING BOARD OF APPEALS members are participating remotely.
- c. If the ZONING BOARD OF APPEALS allows or is required to provide an opportunity for public input during the meeting, an effective means of communication between the members of the body and the public must be provided.
- d. The ZONING BOARD OF APPEALS may not determine that public attendance at a proceeding will be limited solely to remote methods, except in the case of an emergency or urgent issue that requires the full ZONING BOARD OF APPEALS to meet remotely.

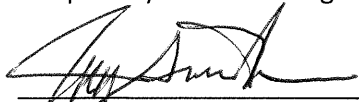
4. Notice Requirements

- a. Notice of all ZONING BOARD OF APPEALS meetings must be provided in accordance with 1 M.R.S.A. § 406 and applicable Town requirements.
- b. When the public may attend via remote methods the notice must include the means by which the public can participate remotely.
- c. Unless the entire ZONING BOARD OF APPEALS is meeting remotely, due to an emergency or urgent issue, the notice shall include the physical location of the meeting for those that would like to attend in person.

5. Meeting Materials


All documents and materials considered by the ZONING BOARD OF APPEALS must be made available to the public who attend remotely, electronically or otherwise, to the same extent they are customarily made available to members of the public who attend in person, as long as additional costs are not incurred by the Town.

Adopted by vote of the Ogunquit Zoning Board of Appeals on August 12, 2021.




Jay Smith, Chair

Mike Horn



Peter Griswold, Vice Chair

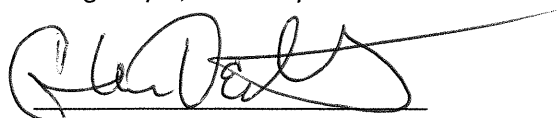


Jerry DeHart

Doug Mayer, Secretary



Carole Aaron



Glen Deletetsky

**Zoning Board of Appeals Remote Participation Policy adopted on this day by a majority of the Select Board:
Dated: August 17, 2021**

Heath Ouellette

Heath R. Ouellette, Chair

Robert Whitelaw

Robert M. Whitelaw, Vice Chair

Richard Dolliver

Richard A. Dolliver

Absent

Linsdey A. Perry

Absent

Scott A. Vogel