



# Planning Board Policies & Procedures

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## **POLICIES AND PROCEDURES**

Policies are guiding principles and procedures are a set of methods or forms established to conduct the business of the Planning Board. Policies and procedures need only the approval of the Planning Board to enact.

### **I. Organizational Materials**

#### **I A. The Planning Board's Administrative Officer shall provide all members current hard copies of the following items:**

1. Planning Board Bylaws
2. Planning Board Policies and Procedures
3. Tiverton Home Rule Charter
4. Tiverton Comprehensive Community Plan
5. Land Development and Subdivision Regulations
6. Code of Zoning Ordinances
7. Tiverton Commercial Form Based Code
8. Soil Erosion and Sediment Control, Chapter 65
9. Annual Meeting Calendar
10. All materials pertaining to current and ongoing Applications before the Planning Board
11. List of Active/Tolled Developments and Subdivision Applications and Sureties
12. Draft and Approved Minutes

#### **I B. All members shall receive from the Planning Board's Administrative Officer electronically and in hard copy the following:**

1. Pertinent and timely educational materials
2. Amendments or revised documents upon final adoption

### **II. Meeting Agenda**

#### **II A. Development and Distribution**

1. The meeting agenda shall be established by the Planning Board Chairperson in conjunction with the Planning Board's Administrative Officer and Solicitor.
2. The approved agenda and all backup materials shall be distributed electronically and in hard copy to assigned mailboxes of all Planning Board members, the Planning Board Solicitor, and the Consultant Engineer by the Planning Board's Administrative Officer seven (7) days prior to the scheduled meeting.
3. The agenda shall consist of all matters for which public hearings have been advertised and for matters which no public hearing is necessary.
4. The agenda shall be comprised of Approval of Minutes, Continued and New Applications, the Planning Board's Administrative Officer Report, the Planning Board's Consultant Engineer Report, the Planning Board's Financial Report, Planning Board Business, Announcements, Annual Election of Officers and the Annual Appointment of the Administrative Officer, Executive Session if required.
5. All Applicants identified on the agenda shall be notified by the Planning Board's Administrative Officer.
6. The agenda shall be posted to the Secretary of State website and Town Clerk according to RI Open Meetings Act (OMA) within the required time period (48 hours).

## **II B. Modification of the Agenda**

1. The agenda may be modified or reordered at the discretion of the Planning Board Chairperson and a majority vote of the Planning Board.
2. Material received after the date of the posted agenda may be presented by persons appearing at a regular meeting of the Planning Board.

## **II C. Order of Business**

1. The Chairperson or designee shall call the meeting of the Planning Board to order
2. Approval of Minutes by recorded vote
3. Continued and New applications
4. Planning Board Administrative Officer's- written and verbal report
5. Planning Board Consultant Engineer's- site and financial report
6. Report of Planning Board's Financials
7. Planning Board Business
8. Announcements
9. Election of Officers and Appointment of the Administrative Officer as required
10. Closed Executive Session, if necessary
11. Scheduling of next Meeting
12. Adjournment

## **III. Meetings**

### **III A. Schedule**

1. The Planning Board shall hold one (1) regular meeting on the first Tuesday of each month.
2. All meetings shall begin at 7:00 p.m. unless otherwise announced and shall take place in the Tiverton Town Hall unless otherwise noticed.
3. The third Tuesday of each month shall be reserved for a Special Meeting if deemed necessary by consensus of Planning Board members and be held at the Tiverton Town Hall at 7:00 p.m. unless otherwise noticed.
4. Additional meetings may be established by the Planning Board Chairperson in consultation with the Planning Board and proper notice shall be given per RI OMA.

### **III B. Public Notice**

1. Regular Meeting
  - a. The Annual Calendar approved by the Planning Board shall be submitted by December 31<sup>st</sup> to the Secretary of State and Town Clerk as required.
  - b. A Regular Meeting scheduled one week or more in advance shall be subject to a minimum notice of forty-eight (48) hours per RI OMA and the agenda posted as required.
2. Special Meeting
  - a. Planning Board members may, at a Regular meeting, set a Special Meeting for a specific subject(s) when deemed necessary.
  - b. It shall be posted as required by RI OMA by the Planning Board's Administrative Officer.
  - c. The third Tuesday of the month at 7:00 p.m. at Town Hall has been designated for this purpose unless otherwise noticed.
3. Executive Session  
Executive Session is permitted by RIGL Title 42-46-4 and the agenda shall be posted as required.

4. Emergency Meeting
  - a. A meeting scheduled less than one week in advance shall be subject to notice to the media.
  - b. The agenda shall be posted as soon as possible, preferably with forty-eight (48) hours advance notice in accordance with RI OMA.
5. Workshop Session
  - a. The Planning Board may conduct a Workshop Session as deemed necessary.
  - b. The agenda shall be posted in accordance with RI OMA.
  - c. No votes shall be taken at a Workshop Session.
6. Site Visit
  - a. A site visit shall be scheduled by the Chairperson based on the interest of the Planning Board members and with the consent of the Applicant at a time convenient for both parties.
  - b. A formal motion of the Planning Board is not required to schedule a site visit.
  - c. The site visit shall be posted by the Planning Board's Administrative Officer according to RI OMA and is open to public attendance.
  - d. Date, time and location shall be included in the notice.
  - e. No substantive discussion may occur during or after the site visit.
  - f. A written report of the site visit shall be submitted to the Planning Board by the Planning Board's Chairperson or designee noting attendees and a summary of the visit.
  - g. If a quorum of Planning Board members attend it shall be considered an official meeting and require written minutes by the Planning Board's Administrative Officer.
  - h. The written report or minutes shall be distributed to Planning Board members and placed in the Applicant's file, included in the Planning Board Administrative Officer's monthly report and filed in the formal minutes binder.

### **III C. Public Hearings**

1. All public hearings require fourteen (14) days advance notice to appear in print in the local newspaper of record.
2. The Planning Board's Administrative Officer shall prepare and submit the notice.
3. Anyone who wishes to may speak at a public hearing.
4. The speaker shall identify himself or herself and state their address before making comments.
5. Once recognized by the Chairperson all comments shall be addressed to the Planning Board, not the Applicant.
6. Comments may be made in the form of questions, but neither the Applicant nor the Board is necessarily obligated to answer them.
7. The purpose of public comments is to bring issues to the attention of the Planning Board, not engage in dialogue with the Applicant.
8. The Planning Board has the sole discretion to determine whether questions or comments require a response and, if so, when, how and by whom a response shall be provided.
9. The Chairperson shall entertain a motion to close the public hearing when it is determined no new information or discussion is forthcoming.

### **III D. Continuation of a Public Hearing**

1. An advertised Public Hearing of an application that is continued need not be re-noticed.
2. It should be duly announced at the conclusion of discussion of the application and a date certain scheduled, if not it shall require re-advertising.

### **III E. Public Participation**

1. It is the intent of a public hearing to allow public participation and such participation shall be directed to the Planning Board.
2. A public informational meeting allows for public participation and shall be directed by the Planning Board Chairperson, RIGL 45-23-32(37).

### **III F. Public Records**

1. All meeting minutes, studies, plans, reports and recommendations made by the Planning Board in the discharge of its duties and responsibilities shall be maintained electronically and in hard copy in appropriate files kept and maintained by the Planning Board's Administrative Officer.
2. All written records shall be submitted to Planning Board members, the Solicitor, Consultant Engineer, Applicants, the Town Clerk and the Town Council.
3. All files shall be part of the public record and made available upon request with the exception of Closed Executive Session minutes.

## **IV. Advisory Committee**

An ad hoc committee which may be established by the Chairperson is designed to facilitate accomplishment of the Planning Board's work. The Planning Board's Administrative Officer or Solicitor shall assist the members as necessary. The subcommittee shall report the findings to the Planning Board for discussion and consideration. The ad hoc committee shall assist in duties, including but not limited to:

- Preparation of the Comprehensive Community Plan and amendments
- Amendments of Zoning Ordinances
- Amendments of Land Use and Subdivision Regulations
- Conduct of studies and surveys

## **V. Application Review**

An individual seeking to have a petition placed on the Planning Board agenda of a Regular Meeting shall submit twenty (20) copies of the signed request and all required documents. These include but are not limited to: the appropriate completed checklist and all plans and required fees to the Planning Board's Administrative Officer to initiate the review process.

### **V A. Scheduling**

1. A date stamp shall be placed on all incoming applications by the Planning Board's Clerk or Administrative Officer.
2. An application must be received and date stamped no less than twenty-one (21) days prior to the next Regular Meeting to be considered for placement on the agenda.
3. The initial application submitted to the Planning Board's Administrative Officer for review shall be placed on the Planning Board agenda once certified complete and the timeclock has been initiated.
4. An application certified complete by the Planning Board's Administrative Officer review less than fourteen (14) days prior to the next regular meeting shall be placed on the subsequent regular scheduled meeting.
5. Placement of a petition on the agenda shall be in the order of date received by the Planning Board's Administrative Officer unless special circumstances are agreed upon by the Planning Board's Administrative Officer, Chairperson and Solicitor.

## **V B. Pre-application Conference and Informal Concept Plan Review**

1. A pre-application conference/informal meeting is required and scheduled by the Planning Board's Administrative Officer with an Applicant and/or their representative for all major land development or subdivision projects.
2. A signed and notarized affidavit shall be submitted with an application if the owner of the property differs from the Applicant and included in the file.
3. The Chairperson, Vice Chairperson, Consultant Engineer and Solicitor to the Planning Board along with other appropriate officials shall be provided proper notice.
4. An Applicant may request an informal concept plan review for a project in addition to those required under Article IV Sec. 23-13 (a) of the Tiverton Land Use and Subdivision Regulations.
5. Public notice is recommended but not required.
6. A summary of attendees and discussion at all meetings shall be included in the Applicant's file, distributed to the Planning Board and included in the Planning Board minutes.

## **V C. Complete Application**

1. An application shall be reviewed by the Planning Board's Administrative Officer using the specific Application Review Checklist found in the Land Use and Subdivision Regulations.
2. The Applicant shall submit the required number of copies and include: the application form, the required completed and signed checklist, the abutters list and return receipts, site plans and any supplemental reports required with the application.
3. The Planning Board fee and Consultant Engineer retainer determined by the Planning Board's Annual Fee schedule shall be submitted by the Applicant prior to commencement of the review.
4. The Applicant shall be responsible for submitting abutters information.
  - a. Abutter names and addresses shall be noted on the submitted site plans.
  - b. Proper advertising and return receipts shall be supplied by the Planning Board's Administrative Officer prior to the first public hearing and kept as a part of the Applicant's file.
  - c. Failure to do so shall deem the meeting to be improperly noticed, and the petition shall not be heard at that time.
  - d. All costs including re-advertising shall be the responsibility of the Applicant.
5. An application must be certified complete by the Planning Board's Administrative Officer for purposes of commencing review by the Planning Board.
6. A Certificate of Completeness shall accompany the application packet and be distributed to Planning Board members, Solicitor and Consultant Engineer electronically and in hard copy no less than fourteen (14) days prior to placement on the agenda.
7. Any additional agencies requested for information necessary to evaluate the application shall provide the appropriate documents to the Planning Board's Administrative Officer no less than fourteen (14) days prior to the public hearing and distributed to the Planning Board, Solicitor and Consultant Engineer electronically and in hard copy.

## **V D. Incomplete Application**

1. The Applicant and Planning Board Chairperson shall be informed in writing by the Planning Board's Administrative Officer of an application certified incomplete within the application time clock and within two (2) days of the decision.
2. Deficiencies should be in written form for the Applicant and Chairperson and placed in the Applicant's file.

#### **V E. Administrative Officer Review Notes**

1. Purpose  
Administrative Officer review notes are a summary tool to assist the Planning Board in assessing an application after a thorough review of all items on the Application Checklist. The notes are not meant to replace the analysis performed by the Planning Board, but to initiate discussion.
2. Format  
The notes shall contain the following elements:
  - Project description
  - Project analysis
  - Areas of concern or importance
  - Comments, suggestions, and considerations
3. Distribution  
Completed notes shall be provided to all Planning Board members, Solicitor and Engineer, the Applicant and Applicant's representatives in hard copy, and placed in the Applicant's file prior to the first public hearing. The notes shall be available to any member of the public upon request once introduced at a public meeting.
4. Review Assistance  
The Planning Board's Administrative Officer shall initially determine when review assistance in evaluating an application is required other than the Town's Consultant Engineer or Solicitor and indicate this in the review notes.

#### **V F. Consultant's Review**

1. Additional Consultant Reviews shall be requested of the Applicant if during the public hearing, it is recommended in the Planning Board's Administrative Officer Notes or requested by the Planning Board during the course of their review.
2. Such assistance includes, but is not limited to: engineering, traffic, public safety, water and wastewater, environmental, fiscal, legal, State or Federal agencies
3. No less than two (2) written cost proposals shall be submitted to the Planning Board for a review of proposed scope of work, fee and time frame for completion of a consultant's review.
4. A vote by a majority of the Planning Board shall determine which proposal is acceptable.
5. All fees associated with the review shall be funded by the Applicant; the Planning Board and Applicant must be in agreement of the consultant reviewer and fee.
6. A retainer for the consultant review shall be submitted to the Planning Board's Administrative Officer prior to commencement of the review.
7. Upon satisfactory completion of the review process, any unused portion of the retainer after payment of all outstanding invoices and debt, shall be returned to the Applicant.
8. The Planning Board's Administrative Officer shall distribute copies of all reviews/reports to Planning Board members, Solicitor, Consultant Engineer, and Applicant electronically and in hard copy no less than fourteen (14) days prior to the scheduled public hearing.
9. All written reviews shall be included in the Applicant's file and made available to the public upon request once introduced into the public record.

#### **V G. Zoning Board Advisory Recommendation**

1. An application that requires a zoning variance or special use permit for approval shall require the Planning Board to vote on the merits of the request, and the Chairperson shall provide a written advisory recommendation to the Zoning Board.
2. If a plan or document is submitted as part of the Planning Board's review it shall be dated and initialed by the Chairperson and submitted with the request for relief and advisory letter.
3. The letter shall recommend approval, approval with conditions or deny the request for relief.

4. The written recommendation and signed plan shall be required twenty-one (21) days prior to the scheduled Zoning Board meeting to be placed on the agenda.
5. It is the Applicant's responsibility to supply the Zoning Board with all additional materials related to the request.
6. In the event the Zoning Board approves the relief requested by the Applicant, no action may be taken for twenty-one (21) days after the decision has been posted in the event an appeal is filed.
7. After the twenty-one (21) day waiting period has elapsed the Applicant may return to the Planning Board to seek approval of the application.
8. Notation of the zoning relief granted must be recorded on the Final Plan, including the Book and Page of the Zoning Board decision.
9. In the event the Zoning Board denies the relief, the application cannot be approved.
10. An application for a Comprehensive Permit allows the Planning Board to grant all waivers (relief) requested for the project, the Applicant is not required to obtain waivers from the Zoning Board.

## **VI. Types of Applications**

### **VI A. Conventional Applications**

1. At times the Tiverton Land Development and Subdivision Regulations which govern local ordinance and state law may be amended, or new regulations proposed affecting types of applications.
2. Information and documentation required by the Requestor shall be made available on the Town website and in the Planning Board office.
3. The Planning Board's Administrative Officer duties include assisting and supporting Requestor's through the application process.

### **VI B. Development Plan Review Application**

1. Purpose
  - a. The Planning Board recognizes that certain classes or categories of projects that require the approval of the Board may be appropriately reviewed and approved in an expedited manner. This policy was developed to identify those classes or projects that may be eligible, and outline the process by which such projects shall be reviewed.
  - b. Projects reviewed under this policy shall be handled in a manner consistent with the Land Use and Subdivision Regulations.
  - c. An application submitted, and requiring a permit, where the project has already been constructed, or where construction is underway, without a permit having been granted, shall not be eligible for expedited review.
2. Classes of Eligible Projects
  - a. Located in the Industrial/Business Park
  - b. Commercial projects
3. Procedure
  - a. Eligibility for an expedited site or design plan review (within the Planned Development/Business Park) shall be conducted by the Building/Zoning Official, Town Planner, Planning Board's Administrative Officer and Planning Board Chairperson.
  - b. In the event these officials fail to come to a consensus during the course of their review, the application shall be referred to the Planning Board per Zoning Article IV Sec. 19P(2)&(3).



## **VII. Application Approval**

Approval of all applications by the Planning Board or the Planning Board's Administrative Officer have required steps in the process and are specified in detail in the Tiverton Land Use and Subdivision Regulations for each type of application.

- Time Clocks for approval or denial of an application must be met, if expired the original petition shall be granted by default (see Appendix B).
- Findings shall be approved by a majority of the full membership of the Planning Board.
- Final Plans shall be signed by the Planning Board Chairperson, dated and submitted into the Land Evidence Record by the Planning Board's Administrative Officer.
- The Planning Board's Administrative Officer shall write the Decision and submit it into the Land Evidence Record.
- As Built Plans shall be submitted to the Director of Public Works, Tax Assessor and Building/Zoning Office and placed in the Applicant's file.
- Vesting of approvals have expiration dates and shall be monitored by the Planning Board's Administrative Officer.

## **VIII. Performance and Inspection Guarantees**

Tiverton Land Use and Subdivision Regulations outline the types and conditions for sureties related to Planning Board applications: Article XI Sec. 23-69-74.

### **VIII A. Classification**

1. Improvement guarantees shall include public and private construction improvements as determined and set by the Planning Board.
2. Inspection guarantees shall be included prior to the Final Plan approval and include a minimum of fifteen (15) % of the total to be utilized by the Consultant Engineer for ongoing site and construction inspections and an additional ten (10) % for contingency.

### **VIII B. Procedure**

1. The Applicant's engineer shall submit to the Planning Board their surety cost for completion of designated work.
2. This shall be reviewed by the Director of Public Works and the Consultant Engineer who shall make their recommendations to the Planning Board noting any modifications.
3. The Planning Board shall vote on the amount and term of the surety.
4. Surety acceptance, modification or release shall be properly noticed on the Planning Board agenda and the Applicant notified by the Planning Board's Administrative Officer.
5. The Applicant shall appear before the Planning Board three (3) months prior to the expiration date of the surety for review.
6. If it is determined work has been completed and conditions met the Planning Board shall vote to release the surety to the Applicant.
7. If there remains uncompleted work after an inspection and report presented by the Director of Public Works or the Consultant Engineer the surety term may be extended.
8. In the event the Applicant fails to meet their obligation as described in the surety it may be called by majority vote of the Planning Board prior to the expiration date.

## **IX. Freshwater Wetlands/ Watershed Overlay District**

### **IX A. Stafford and Nonquit Pond Watershed Overlay Districts**

1. All applications located within these districts shall require an Environmental Review Statement by a licensed professional utilizing the established form as outlined in the Land Use and Subdivision Regulations.
2. It is the responsibility of the Applicant to obtain the Environmental Review Statement (ERS) and submit it with the application.
3. The Planning Board's Administrative Officer shall notify the Chairperson of the Conservation Commission and Planning Board's Consultant Engineer and supply in hard copy all pertinent information for their review, including the submitted ERS.
4. The Applicant shall submit the required fee for the Consultant Engineer review prior to commencing.
5. All pertinent documentation including any additional reviews shall be submitted to the Planning Board no less than fourteen (14) days prior to the scheduled meeting to be considered.
6. The Conservation Commission Chairperson and Consultant Engineer shall present their findings and recommendations at the public hearing of the application.
7. The original ERS and Consultant Engineer review shall be included in the Applicant's file.

### **IX B. Freshwater Wetlands**

1. All development in the state designated Sin and Flesh Brook Natural Heritage Area, as defined geographically by RIDEM's Natural Heritage program, requires a professional survey to determine the potential existence of threatened species' habitats and their location.
2. See Attachment 12 "Guidance on Locating Species of State Concern and their Habitats"

## **X. Modifications**

### **X A. Site Plan**

Modification to a site plan once approved shall be subject to review by the Planning Board. A Public Hearing is required if the modification is considered consequential as determined by the Planning Board.

### **X B. Subdivision**

Modification to an approved subdivision of which the Final Plan has been recorded shall be subject to Planning Board review. A Public Hearing is required if the modification is considered consequential as determined by the Planning Board.

## **XI. Decision**

A decision shall be made by the Planning Board before the expiration of the posted timeclock. The timeclock may be extended by mutual consent of the Applicant and the Planning Board.

### **XI A. Ratification**

1. All votes shall be taken at a posted open meeting.
2. The vote of each member, or a notation of his or her absence from the decision, must be recorded in the minutes and in the decision document.

3. A decision of the Planning Board is by a concurring vote of the majority of the authorized full membership of the Planning Board.

**XI B. Recording**

1. The written decision shall include the findings and supporting statements of the Planning Board.
2. The decision shall be carefully documented so that the Planning Board may avoid a charge of being arbitrary or capricious.
3. In all cases, a copy of the decision must be recorded in the Land Evidence Record, provided to the Applicant, posted for the public, placed in the Applicant's file and distributed in hard copy to Planning Board members.
4. Additional requirements for the recording of the decision may be found in the Land Use and Subdivision Regulations Article X Sec. 23-49.

**XII. Amendments to Policies and Procedures**

The Policies and Procedures of the Tiverton Planning Board are hereby amended effective February 7, 2017.

These Planning Board Policies and Procedures may be amended by the affirmative vote of a two-thirds majority of the members. Before the Policies and Procedures may be amended, notice for the proposed amendments must be properly posted on the meeting agenda in accordance with the Open Meetings Act.

## **TOOLS OF PLANNING**

The Planning Board has either direct control or a strong advisory position over the use of several key planning tools. When these tools are properly used, the Planning Board shall be in a position to achieve sound and orderly development within the community.

### **Advisory to the Town Council**

Zoning changes shall be referred from the Town Council for review by the Planning Board, or the Planning Board may initiate a zoning change request. The requested new or revised zoning ordinance shall be posted on the Planning Board agenda per RI Open Meetings Act. The Solicitor shall participate in the discussion and provide necessary assistance and language in drafting a new or revised ordinance. A non-binding advisory recommendation shall be approved by a majority vote of Planning Board members.

The Planning Board's zoning recommendation shall be submitted in writing to the Town Council by the Chairperson. The Town Council shall conduct a properly noticed public hearing and make the final determination by a majority vote of the full membership.

### **The Comprehensive Community Plan**

The provision for comprehensive planning has been delegated to the thirty-nine (39) communities within the State. Under this provision the town may prepare a plan itself or may designate a special board consisting of one or more members of the Planning Board and such other members as are appointed by the Town Council to prepare a proposed plan and/or amendments.

The Comprehensive Community Plan is now defined as a set of materials (text, graphs, maps, studies, resolutions) that identify the goals, objectives, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and orderly development of the town.

The proposed new plan shall then be referred to the Planning Board for review and recommendations and a public hearing shall be held before submitting it to Statewide Planning for initial review and comments.

The revised plan shall be reviewed by the Planning Board and Town Council at a properly noticed public hearing prior to final submission to Statewide Planning and adoption.

Following the Statewide Planning approval of the Comprehensive Community Plan the Planning Board shall assist in the revisions of the Zoning Code to bring it into conformity with the newly adopted Plan. If it is determined an outside consultant is required to assist with the zoning revisions the Town Council will be informed in writing so that funds may be allocated.

### **Community Development Block Grant Funding**

The Town is eligible to receive funds annually under the Housing and Community Development Act of 1979. The Act's primary objective is development of viable urban communities through the provision of decent housing, suitable living environments, and expansion of economic activities. The Planning Board shall play an important role in identifying areas to which community development funds should be directed, as well as assist in preparing housing and community development plans that are required as part of the application process.

The Planning Board Chairperson shall sign the letter of the recommendations submitted for consideration.

APPENDIX B

**APPLICATION APPROVAL TIME CLOCKS**

Application Submitted	Issuance of Certificate of Completeness*	Planning Board Decision**	Expiration of Approval***
<b>Administrative Subdivision</b> Article V Sec. 23:17-19	15 days	65 days	90 days
<b>Minor Subdivision or Minor Land Development</b> Article VI Sec. 23:20-25			
Preliminary Plan	15 days-no street 25 days with street	65 days-no street 95 days with street	180 days
Final Plan		45 days	90 days
<b>Major Subdivision or Major Land Development</b> Article VII Sec. 23:26-35			
Master Plan	60 days	120 days	1 year
Preliminary Plan	60 days	120 days	1 year
Final Plan	25-45 days	45 days	1 year

\*The Planning Board’s Administrative Officer shall receive all applications and initiate review; first time clock begins from date of submission.

\*\*The Planning Board’s time clock is initiated with the dated approval or approval with conditions of the Certificate of Completeness.

\*\*\*Final decisions are vested from the date of Planning Board approval as recorded.

- The time clock stops if a Certificate of Incompleteness is issued.
- Failure of the Planning Board to reach a decision before the expiration of their time clock defaults to approval on request of the applicant.
- The time clock shall be extended without penalty or prejudice by mutual agreement of the Planning Board and Applicant.