

To: Newburyport City Councilors  
Re: Proposed Change to Planning Board Membership  
Date: 12/6/2022

The Planning Board proposes a change in the membership of the Board consisting of three parts:

1. Reduce the membership of the Board from nine to seven members;
2. Authorize the appointment of two associate members for voting on special permit applications;
3. Set the term of membership at three years, rather than the current five years.

The first two changes will reduce the required supermajority vote for special permits from six to five positive votes, while keeping the pool of potential voting members at nine (seven regular members plus two associate members). This will make it less likely that an applicant will face a delay in receiving approval due to the Board having an insufficient number of qualified members in attendance at a meeting. The third change is intended to make it easier to attract candidates for membership by reducing the initial commitment of years.

In order to effect these proposed changes, the Planning Board respectfully requests the City Council to adopt amendments to both the general ordinances and the zoning ordinance.

First, the Planning Board requests the City Council to adopt proposed amendments to the City's Code of Ordinances that would reduce membership on the Board from nine to seven permanent members. The term of office would be reduced from five years to three years, except when a new member fills a vacant position for an unexpired term of a resigning member. A "transition" period will allow a change from 9 members to 8 members when the first current member resigns or his/her term expires and to 7 members when the next seat becomes vacant.

Second, the Board requests the Council to adopt an amendment to the City Zoning Ordinance to authorize the appointment of up to two associate members for the purpose of acting on special permit applications. This is consistent with the existing provision in the Zoning Ordinance for associate members of the Zoning Board of Appeals (Sec. X-H.1).

The proposed change to the Zoning Ordinance also includes a change from a specific number of positive votes to "two-thirds" for special permit decisions. This is consistent with the state statute on special permits (Chapter 40A, section 9) and accommodates the change in number of members during the proposed transition period. Reference is also made to the simple majority rule for certain housing-related special permits as provided in the 2021 amendment to Chapter 40A.

Reducing the number of members and authorizing the appointment of associate members as proposed will allow for more efficient meetings and decision-making.

Thank you for your consideration.  
Regards,

Bonnie Sontag, *[Former]* Chair Newburyport Planning Board  
Rick Taintor, Chair *[Formerly Vice-Chair]* Newburyport Planning Board