

Remote Meeting Participation Policy
Town of Windham Zoning Board of Appeals

September 16, 2021

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the Town of Windham Zoning Board of Appeals ("The Board") adopts the following policy to govern the participation, via remote methods, of members of the Board and the public in the public proceedings or meetings of the Board.

IN-PERSON MEETINGS REQUIRED: Members of the Board are expected to be physically present and gathered for public proceedings except in the following circumstances:

1. For the Board: The existence of an emergency or urgent issue that requires the Board to meet by remote methods.
2. For one or more individual members of the Board: Illness, other physical condition or temporary absence of a member that causes such member(s) of the Board to face significant difficulties traveling to or attending the meeting to be held in person.

The Town Director of Code Enforcement in consultation with the Chair of the Board if appropriate and possible, will decide that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the Director of Code Enforcement and Chair as far in advance as possible.

"Remote methods" shall mean by telephonic, or video technology allowing simultaneous reception of information and may include, upon request, other means when such means are necessary to provide a reasonable accommodation to a person(s) with a disability. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the Board participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the Board and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire Board to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include how the public may access the meeting remotely and may include, upon request, other means when such means are necessary to provide a reasonable accommodation to a person(s) with a disability. Notice will also identify a location where the public may attend the meeting in person. The Board will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the Board to meet using remote methods of attendance.

The Board will make all documents and materials to be considered by the Board available, electronically, or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the Board.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Board and the public. A member of the Board who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

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