

The Bylaws of the
Hudson County Planning Board



Amended by Resolution
Adopted January 21, 2020

Table of Contents

Article I	Objectives	3
Article II	Definitions	3
Article III	Parliamentary Authority	4
Article IV	Members	4
	Alternate Members	4
Article V	Officers and Their Duties	6
	Chairperson	6
	Vice-Chairperson	6
	Chairman Pro-Tempore	6
	Secretary	6
Article VI	Nomination and Election of Officers	7
Article VII	Meetings	7
	Quorum	8
	Notice	8
	Miscellaneous	8
Article VIII	Order of Business	14
Article IX	Committees	14
Article X	Duties of Standing Committees	15
Article XI	Staff, Consultants, and Attorney	16
Article XII	Public Hearings	16
Article XIII	Operational Procedures	17
Article XIV	Expenditure of Funds	19
Article XV	Amendments	19

Hudson County Planning Board Bylaws

Article I

Objectives

- Section 1. The objectives of the Planning Board are to have, exercise and discharge the functions, powers and duties of a County Planning Board as provided by Chapter 251. Laws of 1935 as amended and supplemented (N.J.S.A. 40:27-1 et seq): in any other relevant legislation; pursuant to Freeholder - Resolution No. 610 adopted on September 27, 1962; and Article 6 Section 4 of the Hudson County Administrative Code.
- Section 2. The general objectives of the Board are to arrange for the orderly physical development of the County; engage in long-range planning related to the development and conservation of lands and resources within the County including, but not limited to, population studies, health, educational, welfare, environmental, drainage, protective, traffic and transportation facilities and services and plans thereto; coordinate local and regional planning activities and promote the public health, safety, convenience and general welfare; promote appropriate design guidelines and historic preservation; review and approve subdivision plats and site plans according to the standards and procedures in the Hudson County Land Development Regulations; assist the County Executive and administration with the preparation of the county's capital budget and capital program; and shall include any other planning objectives that tend to improve the quality of life of County residents.
- Section 3. The Board shall cooperate and communicate with, and seek the goodwill of all local municipalities to facilitate local, county, regional, and state planning.

Article II

Definitions

- Section 1. Unless otherwise specified, the "Board" means the Hudson County Planning Board.
- Section 2. Unless otherwise specified, "governing body" means the County Executive and the Board of Chosen Freeholders.
- Section 3. "Majority of the Board" means either an actual majority or 50% plus one (1) of all appointed Board members or those alternates designated to serve in their place.

- Section 4. "Budget funds" means those funds appropriated through the County's normal budgetary process to the Board or the Division of Planning.
- Section 5. "Planning Director" of the Board means the Division Chief of the Division of Planning or his or her designee.
- Section 6. "Staff" means those persons assigned by the Planning Director to perform staff services for the Board.

Article III

Parliamentary Authority

- Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the proceedings of the Board in all cases to which they are applicable and in which they are not inconsistent with statutory authority, these bylaws, and any special rules of order the Board may adopt.

Article IV

Members

- Section 1. The Board shall have nine members, including the County Engineer, who shall be appointed pursuant to the provisions of N.J.S.A. 40:27-1 et seq. and 40:41A-24 et seq. All members, including alternates, with the exception of Freeholder members including the Freeholder alternate, shall be appointed by the County Executive with the advice and consent of the Board of Chosen Freeholders. The Freeholder member and alternate shall be appointed by the Chairperson of the Board of Chosen Freeholders.

Alternate Members

- Section 2. Alternate members of the Board, including an alternate for the County Engineer, alternate citizen members, and an alternate Freeholder member may be appointed pursuant to the provisions of N.J.S.A. 40:27-1.1 et seq.
- Section 3. No alternate member shall be eligible to serve as Chairperson or Vice-Chairperson of the Board. Alternate members will participate in Board affairs in rotation pursuant to N.J.S.A. 40:27-1.1 (b) subject to the following provisions:
- a) alternate member may sit with the Board and participate in discussions of any Board business or hearing, but may not vote except as designated by the Chairperson to serve in the place of a regular member who is absent or disqualified.
 - b) A vote on any matter shall not be delayed by the Board so that a regular member not present may vote instead of an alternate member, provided that where

the alternate member is designated to serve in place of a regular member who is disqualified from participating in the hearing of a particular case, the alternate member shall be designated to serve only with respect to such case.

c) alternate member who has been designated to sit in place of a regular member and who has participated in any hearing or matter coming before the board shall continue to act in place of such regular member until the final disposition of said matter by the Board.

d) When a regular member has been present and has participated in the first hearing on any matter, no alternate shall be designated to serve during the absence of such regular member during any adjourned or continued hearing or hearings on the same matter unless said alternate member was present as such first hearing or any prior adjourned or continued hearing on such matter.

Section 4. Members of the Board shall serve without compensation, but may be paid expenses incurred in the performance of their duties of office provided such expenses have been approved by the Planning Director.

Section 5. Failure of any citizen member of the Board to attend four consecutive meetings without notice to the Chairperson and adequate justification shall be cause of removal.

Section 6. A Board member who has an interest, direct or indirect, in any matter before the Board for consideration shall disqualify himself or herself during the consideration of such matter.

Section 7. Board members may be reprimanded or recommended for removal from office for neglect of duty or misconduct. The Chairperson may appoint a special committee pursuant to Article 9 Section 2 of these bylaws, which Committee shall be called a Hearing Committee, to hear and make a timely recommendation to the full Board as to the disposition of the matter. Such Hearing Committee may also be appointed by a majority of the Board. Once the committee has been appointed, the member being investigated shall be disqualified from participation in Board proceedings. Notice and an opportunity to be heard shall precede any action by the Board, but no formal proceeding is required. Members may appeal decisions of the Board to the Board of Chosen Freeholders.

Article V

Officers and Their Duties

- Section 1. The officers of the Board shall include a Chairperson, Vice Chairperson and Chairperson Pro-Tempore and shall be citizen members of the Board, Officers will serve for one year or until their successors are elected.
- Section 2. The Board may by majority vote appoint such other officers as it deems necessary, In the event of an emergency, the Chairperson may assume this power.

Chairperson

- Section 3. The duties of the Chairperson shall be to preside at all meetings and hearings; decide all points of order and matters of procedure governing said meetings and hearings pursuant to Robert's Rules of Order Newly Revised; call special meetings pursuant to Article 7 Section 2 of these bylaws; appoint special committees pursuant to Article 9 Section 2 of these bylaws; allocate duties to Board members; and carry out such other duties as normally are those of a Chairperson.
- Section 4. The Chairperson shall, ex-officio, serve as member of all committees.
- Section 5. The Chairperson or his or her designee shall, when appropriate, swear all witnesses giving testimony before the Board.

Vice-Chairperson

- Section 6. The Vice-Chairperson shall act for the Chairperson in the absence or disqualification of the Chairperson.

Chairperson Pro-Tempore

- Section 7. The Chairperson Pro-Tempore shall act for the Chairperson in the absence or disqualification of both the Chairperson and Vice-Chairperson.

Secretary

- Section 8. The Secretary shall be the Planning Director or his designee and shall perform the administrative work of the Board, including the following:
- a) Conduct all official correspondence; keep and maintain, in order, the necessary files and indices with respect to the operation of the Board; give all required notice of meetings pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) and other laws or ordinances.

b) Have custody and take care of all records, documents, maps, plans and papers of the Board, and provide for the care and custody of items for which no other provision is made; and provide public access to public records pursuant to the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).

c) Attend all meetings and hearings of the Board; make a transcript of each hearing of the Board; keep minutes of the proceedings of each meeting (including work meetings) and hearing held by the Board, and enter therein such orders and resolutions as are adopted by the Board; take roll call votes and note the yes or nay of each member as he or she votes, the Chairperson being called last.

d) Cause to be mailed to each member of the Board, and to the Board's attorney, at her or his residence address within ten days after each meeting, a true copy of the minutes of all hearings and meetings.

e) Sign such resolutions or official documents as directed by the Chairperson; and perform such other duties as are normally those of a Secretary.

Section 9. The Secretary shall assign such parts of his or her duties as necessary or as directed by the Chairperson to Board members, to an Assistant Secretary, or shall request the Planning Director to assign staff for this purpose.

Article VI

Nomination and Election of Officers

Section 1. Nomination of officers shall be made by the Board at the annual organization meeting and the elections shall follow immediately thereafter.

Section 2. A candidate receiving a majority vote of the entire membership of the Board shall be declared elected and shall serve for one year or until her or his successor shall take office.

Section 3. Any vacancy occurring among the officers of the Board shall be filled by the affirmative vote of a majority of the Board. Any officer elected to fill a vacancy shall serve for the unexpired term of his or her predecessor in office.

Article VII

Meetings

Section 1. Regular meetings shall be held at the time and place determined by the Board at the annual organization meeting and publicized in accordance with the Open Public Meetings Act, or at such other date, time and place within the County as the Board may establish and advertise in accordance with the Open Public Meetings Act/ "Sunshine Law" (N.J.S.A. 10:4-6 et seq.).

Section 2. Special meetings may be called at any time by the Chairperson on his or her initiative, or shall be called upon the written request of three Board members stating the purpose of the meeting.

Section 3. The annual organization shall occur in January at the first Hudson County Planning Board meeting following the annual organization meeting of the Hudson County Board of Chosen Freeholders. The date, time and place shall be determined by the Board at the end of the business year in December of each year. As such meeting officers will be nominated and elected and standing committees shall submit their annual reports.

Section 4. All meetings of the Board shall be adjourned at 10:00 p.m. unless extended by a majority vote of those members present.

Quorum

Section 5. Fifty percent (50%) of the members shall be present to constitute a quorum, and the number of votes necessary to transact business shall be a majority of those members present and voting. A roll call vote will be taken on any question when requested by a Board member and the record of such vote shall be kept as part of the minutes.

Section 6. Whenever a quorum is not present at a regular or special meeting, those present may reschedule the meeting to another date and time or hold a meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless duly constituted quorum at that meeting.

Notice

Section 7. Notice of meetings shall include the agenda and shall be sent to Board members by the Secretary in writing within a reasonable period.

Section 8. Notice to the public shall be given pursuant to the Open Public Meetings Act whenever the transaction of routine or public is contemplated, or official action is to be taken in any meeting. All meetings shall be open to the public except for executive sessions as provided by the above law. No member of the public shall be permitted to speak without first being acknowledged by the Chairperson.

Miscellaneous

Section 9. Committee meetings may be called by the Board Chairperson or any committee Chairperson at any place and time mutually agreeable to those concerned.

Section 10. Voting on resolutions, financial and personnel matters, etc. shall be by roll call and said vote shall be recorded in the minutes.

Section 11. The voting procedure as to the adoption of resolutions memorializing action taken to grant or deny approval for site plan and subdivision applications shall be as follows:

As to resolutions memorializing approval: Only the members who voted for the action taken are eligible to vote upon the adoption of the memorializing resolution.

As to resolutions memorializing denial: Only the members who voted against approval are eligible to vote upon the adoption of the memorializing resolution.

As to all memorializing resolutions: A vote of a majority of the members eligible to vote present at the memorialization meeting is required for the resolution to be adopted.

If the memorialization meeting is attended by only one member eligible to vote, the resolution may be adopted upon the vote of that single member.

Section 12. Electronic/digital participation of a member via Hudson County's Management Information Systems (MIS) may be allowed only in accordance with all of the following:

a) Electronic/digital participation of a member or members shall follow the same procedures and requirements irrespective of whether the meeting of the Board for which the electronic/digital participation is desired is a regular meeting, special meeting, annual organizational meeting, any combination thereof or for any other purpose/objective.

b) All members, including alternate members, shall be afforded an equal chance to participate electronically/digitally by the Board in that no preference shall be shown to contact, accommodate or otherwise favor any particular type or category of member or members, nor shall any individual member be treated to such preference based upon beliefs regarding the member's opinion, status within the community or any other factor(s).

c) Any member or members who are participating electronically/digitally in a meeting may never be considered toward constitution of a quorum, even if the electronically/digitally participating member(s) will not be

voting and/or the electronically/digitally participating member(s) is(are) present for the entire duration of the meeting.

i.e., If a quorum had been established with the exact number needed, but half-way through the meeting a member is suddenly called away on an emergency of some nature, a member who has been participating since the start of the meeting via electronic/digital means may not be used to re-establish the quorum. Instead, the meeting must be rescheduled pursuant Article 7 Section 6 of these bylaws and no further business may be transacted.

d) Members may only exercise the option of participating electronically/digitally in a meeting when (i) the Meeting Notice has specifically indicated that electronic/digital participation will be allowed for all or a portion of the upcoming meeting and (ii) the member has advised the Board that the member will be participating electronically/digitally at least 24 hours prior to the meeting (or if 24 hours prior to the meeting does not fall upon a business day, at least as of the last business day occurring before the meeting).

Although the member may advise the Board of the member's electronic/digital participation during a telephone call from staff of the Board to confirm the member's meeting attendance, use of this Board-initiated call is a convenience only, and the burden remains upon the member to provide notice to the Board as required by this subsection (d). (It is therefore no excuse for the member to fail to provide the required notice because the member failed to receive a call from the Board at least 24 hours prior to the meeting.)

A Meeting Notice (and the meeting held in accordance therewith) may only allow electronic/digital participation if one or more items on the Agenda will require a 2/3rds majority vote of the members of the Board for approval.

If electronic/digital participation is allowed for only a portion of the meeting, the section(s) of the meeting for which electronic/digital participation will be allowed must be identified by Agenda item number and approximate time(s) to be considered, and the portion must include all of the Agenda items requiring a 2/3rds majority vote.

Members who have provided the required notice to the Board to be able to participate electronically/digitally at a meeting will receive a telephone call from a Board staff member approximately 2 hours prior to the start of the meeting with the necessary information to be able to connect via the Board's MIS. It is the sole responsibility of the member to provide the Board with an alternate contact telephone number if needed and to be available to accept this call.

e) A member participating electronically/digitally may never vote to grant or deny approval for a land use application (i.e., site plan approval, subdivision approval, site plan and subdivision approval).

A member participating electronically/digitally can vote to adopt the memorializing resolution which grants or denies approval for a land use application if the member would be eligible to vote on the memorializing resolution if physically present at the meeting.

f) A member participating electronically/digitally at a meeting is not eligible to vote on an Agenda item if a visual presentation is made at the meeting regarding the item to be voted upon. A visual presentation includes the introduction of printed/projected/computer-generated materials not already within the possession of the electronically/digitally participating member or any spoken testimony/commentary regarding printed/projected/computer-generated materials already within the possession of the electronically/digitally participating member where the speaker physically points out, marks or otherwise physically identifies any feature or element of the printed/projected/computer-generated materials.

g) A member participating electronically/digitally at a meeting is not eligible to vote on an Agenda item if, regardless of the reason, the member does not possess all of the same written/printed/projected/computer-generated materials, documents and reports which are in the possession of the members physically present at the meeting.

h) If a member participating electronically/digitally has not been in attendance without interruption since the

introduction of the Agenda item on which the member wishes to be eligible to vote through the time when called upon for the member's vote, the member is ineligible to vote on that Agenda item. (Being ineligible to vote on one Agenda item by reason of lack of uninterrupted attendance does not "carry-over" to disqualify the member from eligibility to vote on other Agenda items.)

i) As applies to a member physically present, a member participating electronically/digitally may abstain from casting a vote on an Agenda item for which the member would otherwise be eligible to vote upon.

j) A member may participate electronically/digitally whether that member's vote is needed to reach a 2/3rds majority on an Agenda item or is surplus.

k) There is no limit to the number of members who may participate electronically/digitally at a single meeting. (Note: The requirements of subsections (c) and (d) hereof restrict the scope of electronic/digital participation for a meeting at which business may validly be transacted.)

l) A member who only attends a portion of a meeting electronically/digitally shall be treated the same as a member who physically attends only a portion of a meeting. All arrivals and departures of members who are participating electronically/digitally shall be noted in the minutes and announced for inclusion in the transcript of the meeting.

i.e., If a member who is participating electronically/digitally joins the meeting half-way through, for attendance purposes that member is to be regarded the same as one physically present who only arrives once the meeting was half-way through. Likewise, if a member who is participating electronically/digitally disconnects from the meeting after the first half hour, for attendance purposes that member is to be regarded the same as one physically present who leaves after a half hour. Just as a physically present member may be called away from the meeting for a period of time but return again, an electronically/digitally participating member may have a "gap" in attendance as well which should be treated the same as a physically present member who temporarily leaves the meeting room.

m) Participation by a member not physically present at a meeting cannot be considered as electronic/digital participation (and therefore will not qualify the member as in attendance at the meeting nor allow the member to vote on any Agenda item during the meeting) unless both of the following conditions are met:

1) The electronically/digitally participating member must be able to hear all of the members physically present at the meeting and any other electronically/digitally participating member(s) in real time.

2) All of the members physically present at the meeting and any other electronically/digitally participating member(s) must be able to hear the electronically/digitally participating member in real time.

n) No specific technology/equipment is required for valid electronic/digital participation. The transmission or exchange of visual information is not required for valid electronic/digital participation.

o) Members who validly participate electronically/digitally at a meeting in accordance with the requirements of this Article 7 Section 12 shall, for all other purposes of these bylaws, be considered as if they had been physically present at the meeting during the times of their electronic/digital attendance.

Section 13.

The Planning Director of the Hudson County Planning Board shall be able to amend, change and/or revise the Subdivision and Site Plan Review Application (located within “Appendix B: Application & Fee Schedule” of the Hudson County Land Development Regulations) from time to time, without any action by the Board of Chosen Freeholders of the County of Hudson, provided that said amendments, changes and/or revisions are not inconsistent with the Development Review Checklist For Subdivisions and Site Plan (located within “Appendix C: Application Checklist” of the Hudson County Land Development Regulations) and/or Fee Schedule (located within “Appendix B: Application & Fee Schedule” of the Hudson County Land Development Regulations).

Article VIII

Order of Business

- Section 1. The order of business for all meetings and hearings shall be determined by the Planning Director or his or her designee when preparing the meeting agenda.
- Section 2. Regular meetings shall include the following in the order of business unless otherwise specified by the Planning Director. A majority vote of the entire membership of the Board may temporarily set aside the agenda.
- a) Statement of Compliance with Open Public Meetings Act
 - b) Roll Call
 - c) Review and Approval of Minutes
 - d) Correspondence
 - e) Old Business
 - f) New Business
 - g) Adjournment
- Section 3. The order of business for the annual organization meeting shall include nomination and election of officers and annual reports of standing committees pursuant to Article 7 Section 3 of these bylaws.

Article IX

Committees

- Section 1. All activities of the Board so far as is feasible shall be carried on by the standing committees appointed by the Chairperson. Such standing committees shall include at least one Board member, and may include Staff, the Board attorney, consultants and members of the public as appropriate.
- Section 2. The Chairperson may appoint special committees as necessary. Such special committees shall include at least one Board member and may include Staff, the Board attorney, consultants and members of the public as appropriate.
- Section 3. All activities of the Board so far as feasible shall be carried on by the standing committees appointed by the Chairperson. The Site Plan and Subdivision Review Committee shall include only Board members. All other standing committees shall include at least one Board member, and may include Staff, the Board attorney, or consultants and members of the public as appropriate.
- Section 4. The Board's standing committees shall include:
- a) Master Plan and Long Range Planning
 - b) Site Plan and Subdivision Review
 - c) Capital Improvements
 - d) Budget and Finance
 - e) Legislative and Municipal

Article X

Duties of Standing Committees

- Section 1. The Master Plan and Long Range Planning Committee shall review and recommend studies to be undertaken by the Division of Planning in the preparation and revision of the Master Plan; determine long range planning and policy positions; review long range planning projects; make recommendations to the Board concerning policy positions and Master Plan revision; make recommendations to the Board on all proposals for change to the Official County Map; and cooperate with other committees with common interests.
- Section 2. The Site Plan and Subdivision Review Committee and the County Planning Director shall review plats and plans submitted to the Board according to the standards, policies, and procedures in The Hudson County Land Development Regulations. The Committee and the Planning Director shall have the authority to make a preliminary jurisdictional determination on all applications submitted to the Board. The Committee and the Planning Director shall have the authority to deem applications complete for purposes of public hearing and shall make recommendations to the Board regarding action to be taken by the Board on such plats and plans. The Committee and the Planning Director shall also have the authority to review, consider, and administratively approve applications for site plan approval of telecommunications installations. The Committee and the Planning Director shall also have the authority as may be further granted in Article XIII.
- Section 3. The Capital Improvements Committee shall assist the governing body in the preparation of the capital improvements budget. The committee may develop, in consultation with County Departments the annual Capital Improvements Program to be recommended by the Board to the governing body.
- Section 4. The Budget and Finance Committee shall develop the Board's annual budgets to be recommended by the Board to the governing body; monitor budget expenditures; review, approve or reject requests for items not in the budget; review the provisions and liabilities of all contracts for outside services in conjunction with specific committees.
- Section 5. The Legislative and Municipal Committee shall review and make recommendations about court decisions and pending state, county and municipal legislation affecting planning boards and planning; coordinate the inter-municipal panel which will study and make recommendations about county-wide and regional planning concerns; promote inter-municipal cooperation in developing and implementing solutions to common problems; visit local planning boards and provide or arrange for technical assistance when requested; and coordinate networks of services and activities to achieve the Board's objectives.

Article XI

Staff, Consultants and Attorney

- Section 1. The Staff shall be those persons assigned to the Board by the Planning Director. Their responsibilities shall be to collect, assemble and prepare information for presentation to the Board and for its records and files, and to perform such other functions and work as the Director may direct at the request of the Board.
- Section 2. Subject to budget appropriations the Board may hire such experts as it deems necessary, including but not limited to professional engineers and a Board attorney.
- Section 3. The Director of the Board shall be the Planning Director of the Division of Planning or his or her designee.

Article XII

Public Hearings

- Section 1. The Board shall hold public hearings when required by law.
- Section 2. The Board may hold public hearings when it decides that such hearings will be in the public interest.
- Section 3. Notice of such hearings shall be given at least 10 calendar days prior to the hearing through posting of notices on billboards outside the Freeholders' Office and in the Division of Planning; through publication in newspapers with county-wide distribution; and through filing of such notice with the Clerk of Hudson County and with the Clerk of the Board of Chosen Freeholders.
- Section 4. The case before the Board shall be presented in summary by the Chairperson or his or her designee, and parties in interest shall have the privilege of the floor. Questions may be asked by any Board member of any of those present; questions by the public shall be addressed to the Chair.
- Section 5. Each applicant may present qualified professional witnesses who shall provide expert testimony about the respective architectural, engineering, or planning impact of the proposed project. Expert witnesses shall provide their qualifications to the Planning Board based upon their years of experience, advanced educational degrees, or professional accreditation, including licenses and certifications. The Planning Board may at its own discretion accept the respective witnesses as experts. The applicant and each expert witness shall be given a sworn oath before he/she provides either factual information or professional opinions.

- Section 6. After each expert has presented his/her testimony, members of the general public shall be given up to five minutes to question and/or cross examine the applicant and his/her their professional expert witnesses. Members of the general public shall state their name, home address, and shall be given a sworn oath. The Planning Board chair may limit the line and length of questions by the general public to eliminate redundant testimony based upon a reasonable economy and efficiency of time.
- Section 7. No vote of the Board shall be taken during such hearing until after the public portion of the hearing has been closed. At the conclusion the testimony of the applicant and his/her respective witnesses, members of the general public shall be given up to five minutes to comment on the application. The members of the general public shall state their name, home address and shall be given a sworn oath before they are permitted to speak.
- Section 8. A transcript shall be made and a record kept of those speaking before the Board in all public hearings.

Article XIII

Operational Procedures

- Section 1. All papers pertaining to matters formally before the Board shall be maintained in its files in an orderly arrangement as prescribed in a memorandum on office procedure.
- Section 2. Access to the Board's records shall be governed by the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) and copies shall be made available at the rates specified in N.J.S.A. 47:1A-2. Only members of the Board, the County Executive or his or her designees, the Board of Chosen Freeholders, and others specifically designated by the Board shall be permitted to remove papers from the files. A record shall be maintained in the files of all papers thus removed and by whom.
- Section 3. Records of the Board shall be maintained and filed in space made available at the Division of Planning.
- Section 4. The Board may by resolution vest its power to review and approve subdivision plats and site plans with the Site Plan and Subdivision Review Committee and the County Planning Director, which shall operate pursuant to The Hudson County Land Development Regulations.
- Section 5. No application for a major site plan or a major subdivision shall be considered by the full board until it has been reviewed and approved, or deemed complete by the Site Plan and Subdivision Review Committee. The Site Plan and Subdivision Review Committee shall meet no less than 10 calendar days before a regularly scheduled meeting of the Board to allow for adequate public notice.

Section 6. Applications for all major subdivisions not abutting a County road and all application for minor subdivisions, except those abutting a County road which create one or more streets / roads / boulevards / highways / parkways or their proposed rights-of-way, shall be reviewed and approved/denied, or deemed exempt by the Site Plan and Subdivision Review Committee. Applications for all major subdivisions not abutting a County road and all minor subdivisions, except those abutting a County road which create one or more streets / roads / boulevards / highways / parkways or their proposed rights-of-way, shall not be presented to the Board for its consideration.

Applications for major subdivisions abutting a County road and applications for minor subdivisions abutting a County road which create one or more streets / roads / boulevards / highways / parkways or their proposed rights-of-way shall be reviewed and deemed complete or exempt by the Site Plan and Subdivision Review Committee. Applications for major subdivisions abutting a County road and applications for minor subdivisions abutting a County road which create one or more streets / roads / boulevards / highways / parkways or their proposed rights-of-way shall be presented to the Board for its consideration.

Section 7. All applications for major site plans not abutting a County road shall be reviewed and approved/denied or deemed exempt by the Site Plan and Subdivision Review Committee. Applications for all minor site plans not abutting a County road and residential minor site plans abutting a County road with less than 5 dwelling units and also 3 or less off-street parking spaces shall be reviewed and approved/denied or deemed exempt by the Site Plan and Subdivision Review Committee. Applications for major site plans not abutting a County road, minor site plans not abutting a County road and residential minor site plans abutting a County road with less than 5 dwelling units and also 3 or less off-street parking spaces shall not be presented to the Board for its consideration.

Applications for major site plans abutting a County road and applications for minor site plans abutting a County road – except for those which are residential with less than 5 dwelling units and also 3 or less off-street parking spaces –shall be reviewed and deemed complete or exempt by the Site Plan and Subdivision Review Committee. Applications for major site plans abutting a County road and applications for minor site plans abutting a County road – except for those which are residential with less than 5 dwelling units and also 3 or less off-street parking spaces – shall be presented to the Board for its consideration.

Section 8. Should an applicant fail to appear before the Board upon notice when the application is scheduled to be heard, the Board may, at its own discretion, carry the application hearing until the next scheduled Board meeting, or the Board may dismiss the application. Should an applicant fail to appear on the second scheduled hearing date the Board will dismiss the application. The Board will notify the applicant of the scheduled meeting. The applicant may reapply to the Board if an application is dismissed for failure to appear.

Article XIV

Expenditure of Funds

- Section 1. All claims for payment against the Board are to be in the form of written vouchers sworn to by the claimant.
- Section 2. The Planning Director shall certify to the governing body that all vouchers submitted to the Board are valid claims for materials supplied, services rendered, or expenses incurred.

Article XV

Amendments

These bylaws may be amended at any regular meeting by a 2/3rds majority of the Board provided that:

- a) The proposed amendment has been submitted to the Board in writing and signed by a Board member at the last regular meeting, and has been made a part of the minutes of the last regular meeting, and;
- b) A written copy of said proposed amendment has been sent to each Board member and to the Board attorney no later than ten (10) days before the regular meeting of the Board at which the proposed amendment shall be voted upon.

It is hereby certified that at the regular meeting of the Hudson County Planning Board held on January 21, 2020 the foregoing Bylaws were adopted by resolution was adopted with 9 members voting in the affirmative, 0 in the negative and 0 abstaining.



Francesca Giarratana, Board Secretary