

MAINE STATE LEGISLATURE

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August 12, 1957

To Sulo Tani, Director of Planning, Development of Industry and
Commerce
Re: Winthrop Planning Committee

. . . You ask our opinion as to whether or not the Town of Winthrop meets the requirements of the law with respect to its planning committee in the following regards:

"1. If the town were to apply for federal and state funds for planning purposes, would you attest on the application to HHFA that the Winthrop Planning Committee as established met the federal and state requirements as an officially constituted planning board?

"2. Could the Planning Committee, as constituted, draft and propose a zoning ordinance as provided for in Chapter 91?"

It is our opinion that the planning committee of the Town of Winthrop, as established by Article 46 of the warrant as considered by the Inhabitants of the Town of Winthrop, does not constitute a legal planning committee.

Section 96 of Chapter 91 of the Revised Statutes of 1954 sets the number of members of a planning board, mandatorily, at five. The planning board established by the Town of Winthrop has three members and is therefore not a legally established planning board under the provisions of the above quoted section of law.

We therefore answer your questions in the negative.

James Glynn Frost
Deputy Attorney General

jgf/c

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