

**BYLAWS FOR THE PLANNING AND ZONING COMMISSION
OF THE
TOWN OF EAST HAMPTON, CONNECTICUT
(Revised 09/05/2012)**

ARTICLE I

Purpose and Authorization

The objectives and purposes of the Planning and Zoning Commission of the Town of East Hampton are those set forth in the Connecticut General Statutes, Title 8, Chapter 124 - 126, as amended, and those powers and duties delegated to the East Hampton Planning and Zoning Commission by the aforementioned Statutes and "An Ordinance Establishing a Planning and Zoning Commission for the Town of East Hampton, of February 24, 1981."

ARTICLE II

Name

The Commission shall be known as the East Hampton Planning and Zoning Commission.

ARTICLE III

Office of Agency

The office of the East Hampton Planning and Zoning Commission shall be at the East Hampton Town Hall, where all Commission records will be kept. Copies of all official documents, records, maps, etc. will be filed or recorded in the office of the Town Clerk.

ARTICLE IV

Membership

Section 1. The membership and terms of office shall be as specified in the above stated ordinance establishing the Commission and the aforementioned Statutes.

Section 2. The number of voting members of the Commission shall be seven, and three alternates.

Section 3. Members of the Planning and Zoning Commission shall be appointed as described in the Town Ordinance.

Section 4. Vacancies on the Commission shall be filled as specified in Section 3.01 of the East Hampton Town Ordinance, as amended.

Section 5. The Town Manager, as Chief Executive of the Town, shall serve as a member of the Planning and Zoning Commission ex officio, without voting privileges, per State Statues.

Section 6. Members shall notify the designated Town Staff Person of his or her inability to attend a regular meeting, special meeting, or workshop.

Section 7. Attendance of Commission Members. (Refer to the attached Attendance Policy “Appointed Boards and Commissions Attendance Policy”, adopted by the Town Council, as amended by the latest revision).

ARTICLE V

Officers and Their Duties

Section 1. The officers of the Commission shall consist of a Chairman, and a Vice-Chairman.

Section 2. The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint sub-committees, appoint representatives to other Town Committees, and call special meetings and generally perform other duties as may be prescribed in these Bylaws.

Section 3. The Chairman shall be one of the Commission members. He or she shall have the privilege of discussing all matters before the Commission and of voting thereon.

Section 4. The Vice-Chairman shall act for the Chairman in his or her absence and have the authority to perform the duties prescribed for that office. He or she shall be a Commission member.

ARTICLE VI

Administrative Staff

Section 1. The recording clerk shall keep the minutes and records of the Commission and, with the assistance of such staff as is available, shall prepare the agenda of regular and special meetings under the direction of the Chairman, provide notice of all meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission, and such other duties as are normally carried out by a recording clerk.

Section 2. In the absence of the recording clerk, due to illness or personal reasons, the Chairman, with the assistance of available staff, shall appoint a recording clerk pro tem.

ARTICLE VII

Election of Officer

Section 1. An annual organization meeting shall be held on the regular monthly meeting date in January, at which time officers will be elected and the bylaws reviewed and made a part of the minutes of the monthly meeting. A quorum of regular members must be present before election of officers can take place.

Section 2. Nominations of the officers specified in Section 1 of Article V shall be made from the floor at the annual organization meeting and voting shall be by a method approved by the majority of the members.

Section 3. A candidate receiving a majority vote from those present and voting shall be declared elected and shall serve for one year or until his successor shall take office.

Section 4. Vacancies on the Commission shall be filled by appointment by the Town Council as provided by the Town Charter.

Section 5. Resignations from the Commission shall be in written form and transmitted to the Town Clerk, who will then forward same to the appointing authority. A copy of same shall be submitted to the Chairman and appropriate staff.

Section 6. The Chairman may serve no more than three (3) consecutive terms as Chairman of the Commission (revised 1/5/11). The Vice-Chairman of the Commission is not limited to the number of consecutive terms, which he/she may serve on the Commission.

ARTICLE VIII

Meetings

Section 1. Regular monthly meetings will be held on the first Wednesday of each month at 7:00 p.m. (revised 6/5/07) at the East Hampton Town Hall. In the event of conflict with holidays or other events, a majority at any meeting may change the date of the next regular meeting.

Section 2. A majority of the voting membership of the Commission shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of members present. Four voting members shall constitute a majority.

Section 3. All Commission meetings shall be open to the public when in session. The Commission may, by a majority of those present and voting, enter into executive session.

Section 4. Special meetings may be called at the discretion of the Chairman who shall so notify the appropriate staff. The staff shall notify all members of the Commission in advance of such meeting.

Section 5. Robert's Rules of Order shall govern the proceedings at the meetings of the Commission.

ARTICLE IX

Disqualification-Conflict of Interest

No member of the Planning and Zoning Commission shall appear for or represent any person, firm or corporation or other entity in any matter pending before the Commission. A member of the Commission shall disqualify himself/herself from participating in the hearing or decision of the Commission of which he/she is a member upon any matter in which he is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the Commission. The Chairman will announce the disqualification of the Commission member to the Commission.

When disqualification is questionable, a majority of those present and voting shall make the final decision. Membership on another Board, Commission or Agency within the town by a member of the Commission does not preclude his acting upon a license application sought by said Board, Commission or Agency.

ARTICLE X

Order of Business

Section 1. The order of business at regular meetings shall include:

- a. Call to order
- b. Roll call
- c. Approval of minutes of previous meeting(s)
- d. Communications/Reports of Officers & Committee
- e. Reading of Legal Notice for Public Hearings.
- f. Review and action on applications
- g. Old Business
- h. New Business
- i. Adjournment

Section 2. A motion from the floor must be made and passed in order to dispense with any item on the agenda.

Section 3. No new business submitted for action by the Commission shall be acted upon unless it is submitted at least thirty (30) days prior to a regular meeting date.

ARTICLE XI

Hearings

Section 1. The Commission may hold public hearings, in addition to required hearings, when it decides that such hearings will be in the public interest.

Section 2. All public hearings on Planning and Zoning and amendments thereto prescribed by law shall be held in accordance with the requirements set forth for such hearings in Title 8, Chapters 124, 124(a) and 126 of the Connecticut General Statutes, as amended. Notice of the public hearing shall be given at least twice at intervals of not less than two days, the first not more than 15 days nor less than 10 days, and the last not less than two days before such hearing, in a newspaper of general circulation in the municipality.

Section 3. All public hearings on applications, subdivision applications, special permit applications, applications for changes to the Zoning Regulations or map, site plan applications and permit applications as prescribed by law shall held in accordance with the requirements set forth for such hearings in Title 8, Chapters 124, 124(a) and 126, Connecticut General Statutes, as amended. Notice of public hearing shall be given at least once, not more 15 days, and not fewer than ten (10) days before the date set for the hearing in a newspaper having general circulation in the municipality.

Section 4. At intervals not to exceed ten (10) years, the Planning and Zoning Commission shall review the Plan of Conservation and Development and affirm, revise or amend the Plan so as to assure that the Plan is responsible to prevailing conditions at the time of the review. Such review shall be performed by the Commission in its entirety or by a committee as appointed in accordance with Article XIV of these Bylaws. Such review shall be completed within six (6) months unless specifically extended by vote of the Commission.

Section 5. All public hearings shall be recorded and minutes taken. Proceedings of the hearing shall be incorporated into the minute book of the Commission to be a permanent part of that record.

ARTICLE XII

Conducting the Public Hearing

Section 1. The Chairman of the Commission shall preside at the public hearing. In event of his or her absence, the member with the greatest longevity on the present Commission serves as Chair in the absence of the Chair and the Vice-Chair.

Section 2. The recording clerk shall read the legal advertisement and note the dates and newspaper in which the advertisement appeared.

Section 3. A summary of the application or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for the hearing. In any event, the Commission shall have the privilege of speaking first. The Chairman shall describe the method of conduct at the hearing.

Section 4. The Chairman shall first call for statements from the applicant. The public shall be given equal opportunity to comment.

Section 5. It shall be clear to the hearing that all questions and comments must be directed through the Chair only after being properly recognized by the presiding officer.

Section 6. All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing each person shall give his/her name and address.

Section 7. The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times. The presiding officer shall reserve the right to terminate the hearing in the event the discussion becomes unruly and unmanageable.

Section 8. The show of hands by those persons present shall not be allowed on any general question presented at the public hearing. The hearing shall be conducted in deliberations of the regular meeting of the Commission. If a general consensus of the meeting is desired, the Commission may provide properly identified sheets on which the electors may signify writing their opinion as either in favor or opposed to the question before the public hearing.

ARTICLE XIII

Employees

Section 1. Within the limits of the funds available for its use, the Commission may employ such staff, personnel and/or consultants as it sees fit to aid the Commission in its work. All appointments shall be in accordance with Town policy.

ARTICLE XIV

Committees

Section 1. Special committees may be appointed by the Chairman for purposes and terms which the Commission approves.

Section 2. A majority of committee members shall be present for the conduct of business and voting.

Section 3. Standing committees may be appointed by the Chairman at the direction of the Commission.

ARTICLE XV

Amendments to Bylaws

These Bylaws may be amended by a two-thirds vote of the entire voting membership of the Commission, only after the proposed change has been read and discussed at a previous meeting, except that the Bylaws may be changed at any meeting by the unanimous vote of the entire voting membership of the Commission.