

**EAST LYME PLANNING COMMISSION
BY-LAWS
(REVISED January 12, 2016)**

**ARTICLE 1
PURPOSE**

The By-Laws contained herein provide the guidelines for the conduct of operations of the East Lyme Planning Commission.

**ARTICLE II
MEMBERSHIP**

The Commission membership shall be in accordance with the East Lyme Town Charter. The current make up of the Commission consists of six regular members along with three alternate members.

**Section I
Officers of the Commission – Duties and responsibilities**

CHAIRMAN

The Chairman shall be one of the regular members of the Commission elected by majority vote of the regular members of the Commission. The Chairman will preside at all meetings in accordance with Robert's Rule of Order. The Chairman shall have and exercise general charge and supervision of the affairs of the Planning Commission and shall have the power to appoint members to all standing and special subcommittees. The Chairman, in conjunction with the East Lyme Planning Director, is responsible for establishing the agenda for all meetings and ensuring the agenda is posted in accordance with state statutes.

SECRETARY

The Secretary shall be one of the regular members of the Commission elected by majority vote of the regular members of the Commission. The general duties of the Secretary include:

- Have charge of such books, documents, and papers as the Chairman may determine.
- Supervise the taking of minutes and the editing and distribution of all correspondence to the members.
- Prepare all letters to outside activities.
- Maintain a central file of all correspondence and information and an index of it, which shall be available for all members upon request.
- Be responsible for ensuring that the minutes of all meetings are posted in accordance with state statutes, are sent to the Town webmaster for posting on the Town website by the Recording Secretary and provided to other members of the Commission prior to the next regular scheduled meeting.

The Secretary will serve as Chairman in the Chairman's absence.

Section II
Recording Secretary – Duties and responsibilities

A recording secretary will be employed by the Commission to assist the Chairman, Secretary and Town Planning Director in the keeping of records of the proceedings at each meeting, drafting correspondence and other duties as may be assigned.

Section III
Elections

Elections shall be held during the month of December of each year for the Office of Chairman and Secretary.

Regular members and seated alternates of the Planning Commission can vote for Chairman and Secretary.

Elections for the replacement of a regular member, should a vacancy occur during the period between general town elections, shall be held at a regularly scheduled meeting. The Commission members will vote to fill the vacancy from available candidates. Consideration for the vacancy should first be given to the town elected alternates, keeping in mind the state statutes on minority representation. If there are no candidates from the elected alternates then a general call for candidates will be posted by the Chairman.

Alternates seated at a meeting as a regular member by the Chairman shall be permitted to vote for the replacement of any regular member unless the seated alternate is a candidate for the position.

Section IV
Appointments

The Chairman may establish, as events require, subcommittees to conduct research and provide recommendations to the Commission on various issues or proposed regulations. Both regular members and alternates may serve on subcommittees. The Commission will vote on membership to the established subcommittees. The Chairman may temporarily fill any vacancies in a position on subcommittees, appointing a regular or alternate member, until such time as that position can be permanently filled. The Chairman may appoint a parliamentarian to make recommendations on rules of meeting conduct.

The Commission shall appoint ex-officio representatives to other Town and Regional Boards and Commissions in order to provide input back to the East Lyme Planning Commission on issues affecting the general responsibilities and duties of the Commission.

Section V
Duties, Obligations, Privileges Of Members And Alternates

All members must be aware of the Connecticut General Statutes regarding disqualification of members in matters before planning or zoning commissions or zoning boards of appeals (Sec. 8-21). No member of the Planning Commission shall appear for or represent any person, firm or corporation or other entity in any matter pending before the planning or zoning commission or zoning board of appeals. No member of the Planning Commission shall participate in the hearing or decision of the commission of which he 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 and replacement shall be made from alternate members.

Commission members and alternates are encouraged to be present at other agency meetings, town meetings, public hearings and budget hearings. Members and alternates may voice their personal opinions on issues not subject to action by the Planning Commission but must make it clear that the opinion given is an individual member's and not that of the Planning Commission. Alternate members when seated by the Chairman shall have all the powers and duties of a regular member. Alternate members shall not be members of the Zoning Commission or Zoning Board of Appeals. Alternates may attend all meetings and executive sessions of the Commission. Alternates not seated shall not participate in discussion or deliberation of applications before the Commission. Alternates may ask questions during a public hearing, but should refrain from making comments that would cause them to be disqualified to vote if seated.

Information for press releases and/or public notices shall be handled by the Chairman, or by the Secretary when directed by the Chairman.

Individual members of the Commission shall maintain the right of minority reports (written or verbal), which then shall become part of the minutes of the meeting.

ARTICLE III
MEETINGS

Section I
Scheduling of Meetings

A schedule of regular monthly meetings for the following year will be established by the December meeting during which the election of officers is held. Meetings of the Planning Commission shall be held on the dates set forth by the Commission, at such place and time as designated. The schedule of meetings shall be filed with the Town Clerk within seven (7) days of the meeting in which they were approved.

Special meetings may be called by the Chairman or by a majority of the members, with a minimum 24 hours notice to the Town Clerk as required by the General Statutes of the State of Connecticut. All members shall be notified of such meetings.

Executive sessions shall be held only when specific items are presented such as those involving litigation, personnel matters, and other matters noted in the Connecticut General Statutes, as amended, and should be attended by only the members, alternates and other invited persons. A 2/3 vote by the commission regular members and seated voting alternates, if applicable, is required for executive session.

Section II
Notice of Meetings

Notice of the convening of a meeting will be provided by the Secretary to each member in writing (mail, FAX or e-mail) no less than four (4) days prior to the meeting if possible.

Section III
Quorum

A quorum consists of four (4) regular members and/ or alternates.

A meeting should consist of six (6) members, regular and alternate members when they are available. Every effort will be made to give all alternates the opportunity to participate, when needed to complete a full Commission.

If six (6) regular members are not available at the start of the meeting and alternates are available, the Chairman shall appoint the requisite number of alternates to serve as members for that meeting, bringing the total number seated at the meeting to six (6) members (regular and alternates) if available.

In the event that both the Chairman and Secretary are absent, the remaining regular members shall choose an acting Chairman, who in turn shall appoint the necessary alternate member(s) to serve as members for that meeting.

If there are less than four (4) members (regular and alternates) present, the meeting will be cancelled.

Section IV
Agenda

An agenda shall be established for each meeting. This is not meant to eliminate items brought on the floor under new business but to establish priority items. The meeting agenda shall be provided to the members along with the Notice of the convening of a meeting at no less than Four (4) days prior to each meeting, when possible.

In order to provide each member with an agenda, a cut-off date for applications of one week prior to the next meeting shall be established. Material correspondence arriving after the established cut-off date will be placed on the agenda at the discretion of the Chairman. The general agenda format guidelines for meetings will be as follows:

Opening:

Meeting call to order

Pledge of Allegiance

Item I – Emergent additions to the agenda

Item II – Public Delegations

Item III – Reports by Chairman, Staff, Liaison, Sub-Committees

Item IV - Disposition of minutes of last meeting.

Item V – Subdivision Applications

Item VI – Current Subdivision Approval / Construction Reports

Item VII – Zoning Referrals

Item VIII – Municipal Improvement Referrals

Item IX – Other Business (New and Old)

a. Summary of Communications (not in possession of all members)

Adjournment

ARTICLE IV
REPORTS/BUDGET/EXPENDITURES

Section I
Annual Report

The annual report will be drafted by the Chairman, in conjunction with the Town Planning Director, for presentation to the Commission in sufficient time to allow members to review and present comments prior to the meeting scheduled for approval of the annual report. The final report must be approved by a majority vote of the members before it is submitted for inclusion in the Town's Annual Report.

Section II
Budget

Commission members shall be provided a breakdown of the previous year's budget, and asked to provide comments and recommendations for the upcoming year. After a final draft of the budget has been prepared, the Commission will be asked to approve it for presentation to the Board of Selectman.

Section III
Approval of Expenditures

A report of Planning Commission expenditures including legal fees will be submitted on a monthly basis by the Director of Planning.

ARTICLE V
BY-LAW AMENDMENTS

These procedures may be altered, amended, or repealed at any regular or special meeting of the members called for the purpose by an affirmative vote of a majority at the preceding meeting. The Connecticut General Statutes, as amended, take precedent over these articles in the event of a conflict in regulations.

Note: **Date of Approval** of these By-Laws: March 2, 1982

Amended to: January 3, 1984

Amended to: March 19, 2003

Amended to: May 16, 2007

Amended to: May 4, 2010