

EAST LYME PLANNING COMMISSION
BY-LAWS
(~~REVISED~~ January 12, 2016) Revised through;
March 8, 2021

ARTICLE I - 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. Alternate members shall not be members of the Zoning Commission or Zoning Board of Appeals.

ARTICLE III - OFFICERS AND MEMBERS OF THE COMMISSION – DUTIES, AND RESPONSIBILITIES

SECTION I - CHAIRMAN

The Chairman shall be ~~one of the a~~ 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. The Chairman and shall have the power to appoint members to any and all standing and/or special subcommittees of the Planning Commission as well as liaisons to other various agencies, boards, and commissions. The Chairman, in conjunction with the East Lyme Planning Director, is responsible for establishing the Aagenda for all meetings of the Planning Commission and ensuring the agenda is posted in accordance with state statutes.

SECTION II – VICE CHAIRMAN

The Vice Chairman shall be a regular member of the Commission elected by majority vote of the regular members of the Commission. The Vice-chairman shall be one of the seated members of the Agency elected by majority vote of the regular members of the Agency. The Vice-chairman will preside at meetings where the Chairman is absent in accordance with Robert's Rule of Order.

SECTION III - SECRETARY

The Secretary shall be ~~one of the a~~ regular members of the Commission elected by majority vote of the ~~regular~~ members of the Commission. The ~~general duties of the~~ Secretary ~~include:~~ shall have charge of such books, documents, and papers as the Chairman or Vice Chairman may determine. The Secretary shall supervise the taking and editing of minutes. The Secretary shall serve as Chairman in the absence of the Chairman and Vice Chairman.

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

ARTICLE IV – MUNICIPAL STAFF -DUTIES AND RESPONSIBILITIES

SECTION I - TOWN PLANNER / PLANNING DIRECTOR

The Town Planner / Planning Director shall be responsible for the distribution of all correspondence to the Commission's members. The Town Planner shall prepare all correspondence on the Commission's behalf. Maintain files of all Applications in accordance with statutory record retention requirements and an index of them which, shall be publicly available upon request provided the Application is not the subject of pending litigation. Maintain files of all general correspondence. Responsible for ensuring the Recording Secretary files the minutes of all meetings in the Office of the Town Clerk in accordance with State Statutes. Responsible for ensuring the filed minutes are forwarded to the Town Webmaster for posting on the Town website in accordance with State Statutes or any State Executive Orders; and provided to the Commission prior to the next regular scheduled meeting.

Information for press releases and/or public notices shall be handled by the Planning Director under the direction of the Chairman, Vice Chairman, or Secretary.

SECTION II - RECORDING SECRETARY

A recording secretary ~~will~~shall be employed by the Commission to assist the Chairman, Vice Chairman, Secretary, and Town Planning Director in keeping ~~of~~ record of the proceedings at each meeting (a.k.a. the Minutes). The Recording Secretary shall file the minutes of all meetings in the Office of the Town Clerk in accordance with all applicable State Statutes and the Freedom of Information Act. The secretary may from time-to-time drafting correspondence and be requested to perform other duties as may be assigned.

ARTICLE V - ELECTION OF OFFICERS

SECTION I - ELECTIONS

Elections shall be held during the month of December ~~of~~ each year for the Office of Chairman, Vice Chairman, ~~and~~ Secretary. Regular members and seated alternates of the Planning Commission ~~may~~can vote for Chairman and Secretary.

SECTION II – VACANCIES

, Should a vacancy occur during the period between general town elections, elections for the replacement of a regularly seated member shall be held, when possible, 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 vacancy or alternate vacancy unless provided the seated alternate is not a candidate for the vacant seat. position.

SECTION III- 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 ARTICLE VI - DUTIES, OBLIGATIONS, RESPONSIBILITIES, PRIVILEGES OF MEMBERS AND ALTERNATES

SECTION I – CONFLICTS OF INTEREST

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.

SECTION II - RESPONSIBILITIES

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 shall 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.~~

SECTION III – PRIVILEGES

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 #VII - 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.

SECTION II - NOTICE OF MEETINGS

Notice of the convening of a meeting will be provided by the Planning Director to each Commission member in writing (U.S. mail, or E-mail) no less than four (4) days prior to the meeting if possible.

SECTION III - SPECIAL MEETINGS

~~Special meetings may be called by~~ The Chairman, Vice Chairman, or ~~by~~ a majority of the Commission members, may call a Special Meeting provided the Agenda for said meeting is filed in the Office of the Town Clerk within a minimum of 24 hours prior to holding such Special Meeting. ~~notice to the Town Clerk as required by the General Statutes of the State of Connecticut.~~ All members shall be notified of such meetings.

SECTION III- EXECUTIVE SESSIONS

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. Executive Sessions, ~~and~~ should be attended by only the Commission members, Alternates, and any other invited person(s). Entering into an Executive Session taken up from the floor shall require a 2/3 vote by the Commission's members, regular members and seated voting alternates, if applicable, is required for executive session.

SECTION III - QUORUM

A quorum consists of four (4) regular members and/ or alternates. A meeting should consist of six (6) seated 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, Vice Chairman, and/or 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 in no less than four(4) days prior to each meeting, a cut-off date for applications of one week prior to the next meeting shall be established by the Planning Director. 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 should be as follows:

Opening:

Meeting Call to Order

Roll Call and Pledge of Allegiance

Item I – Emergent additions to the agenda

Item II – Public Delegations

Item III – Reports by Chairman, Staff, Liaisons, 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 Old Business (New and Old)

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

Adjournment

ARTICLE VIII - 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 ~~IXV~~ - BY-LAW AMENDMENTS

SECTION I - 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

Amended to: [March 8, 2021](#)