



TOWN OF KENT PLANNING AND ZONING COMMISSION



41 Kent Green Boulevard
P.O. Box 678
Kent, CT 06757
Phone (860)927-4625 Fax (860)927-4541

BY LAWS KENT PLANNING AND ZONING COMMISSION

ARTICLE I Authority

These Bylaws have been adopted in accordance with the powers vested in the Planning and Zoning Commission of the Town of Kent by the Connecticut General Statutes, including but not limited to Chapters 124 (Zoning) and 126 (Planning), and by Section 11-1 of the Code of the Ordinances of the Town of Kent, Connecticut.

ARTICLE II Name

The Commission shall be known as the Kent Planning and Zoning Commission.

ARTICLE III Office of the Agency

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

ARTICLE IV Membership

The membership and terms of office shall be as specified in Section 11-1 of the Code of the Ordinances of the Town of Kent, Connecticut, as it may be amended, or as may otherwise be required by the Connecticut General Statutes.

ARTICLE V Officers and Their Duties

Section 1. The officers of the Commission shall consist of a Chairperson, Vice-Chairperson, a Secretary and a Treasurer. The Chairperson and Vice-Chairperson must both be regular members of the Commission. The Secretary and Treasurer may be regular or alternate members of the Commission, provided that an alternate member's service as Secretary or Treasurer shall not entitle such alternate to vote at any meeting unless such alternate has been properly seated in place of a regular member.

Section 2. The Chairperson shall preside at all meetings and hearings of the Commission and shall have duties normally conferred by parliamentary usage in such offices. The Chairperson shall have the authority to assume the enforcement powers of the Zoning Enforcement Officer (“ZEO”) in the event the ZEO is ill, on vacation, away from the office, or otherwise unable to act, or of the office of ZEO is vacant. The Chairperson shall have the authority to certify expenditures of funds of up to \$100.00, or of up to \$300.00 for public notices, without prior approval of the Commission. The Chairperson shall also have the authority to call special meetings, appoint committees, and generally perform other duties as may be prescribed in these bylaws. The Chairperson shall have the privilege of discussing all matters before the Commission and of voting thereon.

Section 3. The Vice-Chairperson shall have the authority to act in place of the Chairperson when the latter is ill, on vacation, away from the town, or otherwise unable to act, or when the office of Chairperson is vacant.

Section 4. The Secretary shall have the official duty of taking the minutes of Commission meetings, maintaining the minutes and records of the Commission, and such other duties as may be prescribed in these Bylaws. The Commission may also retain a Clerk or other administrative staff to handle some or all of these duties. The Commission must review and approve all official minutes of the Commission. Such review and approval shall ordinarily take place at the next regular or special Commission meeting following the meeting at which such minutes were taken.

Section 5. The Treasurer shall annually propose a budget for the Commission to submit to the Board of Selectmen as part of the Town’s annual budget process each year. The Treasurer shall also receive and present all bills to the Commission, and shall keep records of the available and expended funds and report on same to the Commission. The Commission may delegate some or all of these responsibilities to the ZEO or other administrative staff.

Section 6. A Commission member may serve simultaneously as Secretary and Treasurer of the Commission.

ARTICLE VI
Election of Officers

Section 1. An annual organizational meeting shall be held on the second Thursday of December or at the next regularly scheduled meeting of the Commission following a general Town election, whichever occurs later, at which time officers will be elected and bylaws reviewed and made a part of the minutes of the annual meeting. At least 5 members or alternates must be present before election of officers can take place.

Section 2. Nominations shall be made from the floor at the annual organizational meetings and elections of the officers specified in Section 1 of Article V shall follow immediately thereafter.

Section 3. A candidate receiving at least four votes from members or properly seated alternates shall be declared elected and shall serve for one year or until a successor shall take office.

Section 4. If any office becomes vacant through death or resignation before the term of that office was scheduled to expire under Article VI, Section 3, the Commission shall elect another regular or alternate member, as may be allowed under Article V, to fill that vacancy at the next regular meeting of the Commission following the occurrence of such vacancy.

Section 5. Resignations from the Commission shall be in written form and transmitted to the Chairperson, who will then forward same to the First Selectman.

ARTICLE VII
Meetings

Section 1. A regular Planning and Zoning meeting will be held on the second Thursday of each month at 7:00 p.m. at the Town Hall. In the event of conflict with a holiday, the meeting will be advanced to the next business day unless an alternative date is chosen by a vote of at least four regular members or properly seated alternates. The Commission may change the date of or cancel any regular meeting by a vote of at least four regular members or properly seated alternates, provided that notice of such change or cancellation is provided in accordance with applicable provisions of state law. The Commission may schedule special meetings upon the vote of a majority of a quorum of members or alternates present at any meeting. The Chairperson shall also be authorized to schedule special meetings when he or she determines that any matter requires the Commission's attention and possible vote prior to the next scheduled Commission meeting. The Secretary shall notify the membership of any special meetings no less than 48 hours in advance of such meeting. For purposes of this section, a rescheduled regular meeting shall be deemed to be, and shall be handled as, a special meeting.

Section 2. In the event that the Chairperson and Vice-Chairperson are both ill, away from the town, or otherwise unable to fulfill the duties of their respective offices, or if both offices are vacant, a special meeting of the Commission may be called by any three of the remaining regular members. In the event that both the Chairperson and the Vice-Chairperson are absent from any regular or special meeting of the Commission, but a quorum is otherwise present, the remaining members and properly seated alternates may choose any other member or properly seated alternate to act as presiding officer at such meeting. If the Chairperson or Vice-Chairperson arrives at such meeting at a later time, he or she shall assume the powers and duties of the presiding officer only upon the conclusion of the particular item of business that was under discussion at the time of his or her arrival.

Section 3. The presence of any four regular or alternate members at any meeting shall constitute a quorum, and a minimum of four votes shall necessary to transact business, unless a greater number is required by these Bylaws, by any lawful regulation adopted by the Commission, or by any applicable state law.

Section 4. All Commission meetings shall be open to the public except when the Commission votes to enter an executive session in accordance with the applicable provisions of state law.

Section 5. Unless otherwise specified, the Commission shall transact business in accordance with Robert's Rules of Order.

ARTICLE VIII
Order of Business at Meetings

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

1. Call to order.
2. Roll call and appointment of alternates if required.
3. Reading and approval of minutes of previous meetings and/or hearings.
4. Public communications from those in attendance not related to old or new business.
5. Old business.
6. New business.
 - a. Applications requiring Commission action.

- b. Subdivisions, site plans, etc.
- c. Other new business.
- d. Review of administrative permits issued.
7. Reports of Officers and Committees.
8. Other communications and correspondence.
9. Adjournment

Section 2. At any regular meeting, the Commission may, by majority vote of a quorum, change the order of business as otherwise specified in Article VIII, Section 1, or eliminate any item of business specified in that section.

ARTICLE IX **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, provided that no nonrequired public hearing shall change any deadline for making any decision as may be specified by state law.

Section 2. All public hearings required by state law shall be held in accordance with the procedures and timetables established thereunder.

Section 3. When a matter requiring the Commission's decision is presented at any public hearing, the presiding officer shall begin the hearing by offering a summary of the nature of the matter, or by calling upon another member, a staff person, or a representative of the person seeking such decision (e.g., an applicant for a permit or approval), to provide such a summary.

Section 4. The Commission's Secretary or Clerk shall take notes and the evidence shall be recorded by a sound recording device at each hearing before the Commission in which the right to appeal lies to Superior Court. Proceedings of the hearing shall be incorporated into the official minutes of the Commission.

Section 5. All questions and comments must be directed through the presiding officer. Persons shall be allowed to speak 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 where necessary. Before commenting on the matter before the hearing each person shall be asked to give his 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. A show of hands by those persons attending any public hearing present shall not be allowed on any question presented. The hearing shall be conducted only for the purpose of taking evidence to be considered by the Commission in deciding upon any matter presented. The Commission shall decide all matters in accordance with the standards and criteria established for such matter under state law and the Commission's applicable regulations.

ARTICLE X
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. Appointments shall be made by a majority vote of the entire membership. The Chairperson may be authorized to sign contracts for employing personnel and contracting for planning services as might be approved by the Commission.

Section 2. The Secretary or Clerk shall take the minutes of all regular and special meetings and shall mail copies of such to all members in time to be received by the next meeting. The Secretary or Clerk shall file copies of the minutes with the Town Clerk in accordance with state law. In the event any Clerk appointed by the Commission is not available, a temporary clerk may be appointed by the Chairperson to fill in.

Section 3. The Land Use Office shall prepare the agenda of regular and special meetings and provide notice to the Town Clerk 48 hours in advance of regular meeting or 24 hours for special meetings. The Land Use Office shall arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a Land Use Office.

ARTICLE XI
Committees

Section 1. Standing or special committees may be appointed by the Chairperson for purposes and terms which the Commission approves.

ARTICLE XII
Freedom of Information

Section 1. The Commission shall comply with all applicable provisions of the Freedom of Information Act, Connecticut General Statutes Chapter 14, as it may be amended.

ARTICLE XIII
Amendments

These Bylaws may be amended by a vote of no fewer than five voting members or properly seated alternates, only after the proposed change has been read and discussed at a previous regular meeting, except that the Bylaws may be changed at any meeting by the unanimous vote of the entire voting membership of the Commission (e.g., seven regular members or properly seated alternates).

APPROVED JANUARY 9, 2020