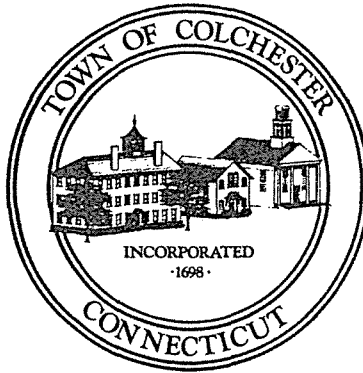


**Code Administration**  
Building Official  
Fire Marshal  
Wetlands Enforcement



**Planning and Zoning**  
Planning Director  
Zoning Enforcement  
Town Engineer

Town of Colchester

ZONING AND PLANNING COMMISSION  
COLCHESTER, CONNECTICUT 06415

BY-LAWS

RECEIVED  
COLCHESTER, CT  
06 MAR 16 AM 9:19  
NANCY A. BRAY  
TOWN CLERK  
*Nancy A. Bray*

ARTICLE 1. PURPOSE AND AUTHORIZATION

The objectives and purposes of the Zoning and Planning Commission of the Town of Colchester are those set forth in Chapters 124 – Zoning, and 126 – Planning, of the Connecticut General Statutes, 1958 Revision, as amended, and those powers and duties delegated the Zoning and Planning Commission of the Town of Colchester by the aforementioned statutes by ordinance known as Zoning Ordinance of the Town of Colchester, as amended.

ARTICLE 2. NAME OF COMMISSION

The Commission shall be known as the Zoning and Planning of the Town of Colchester, hereafter called ZPC, or Commission.

ARTICLE 3. OFFICE OF AGENCY

The office of the ZPC shall be at the Colchester Town Hall where Commission records will be maintained. Copies of all official documents, records, maps and similar items will be filed or recorded with the Office of the Town Clerk.

ARTICLE 4. MEMBERSHIP

**Section 1.** The membership and terms of office shall be as specified in the above stated ordinance establishing the Commission and the aforementioned General Statutes. The Commission shall consist of seven (7) members and two (2) alternate members appointed by the Board of Selectmen for terms of three (3) years each who shall take office on the third Tuesday of December next following his appointment.

**Section 2.** Resignations from the Commission shall be in written form and transmitted to the Chairman, who will then forward the same to the Board of Selectmen who shall name an appointee to serve the un-expired terms of the members he has replaced.

#### ARTICLE 5. OFFICERS AND THEIR DUTIES

**Section 1.** The officers of the Commission shall consist of a Chair, a Vice Chair, and a Secretary.

**Section 2.** The Chair shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall have the authority to appoint committees, certify expenditures of funds up to \$50.00 without prior approval of the Commission, call special meetings, prepare the annual budget, and generally perform other duties as may be prescribed in these By-Laws. He shall have the privilege of discussing all matters before the Commission and of voting thereon.

**Section 3.** The Vice Chair shall act for the Chair in his absence and have the authority to perform the duties prescribed by that office.

**Section 4.** In the absence of the Secretary, due to illness, personal, or disqualification reasons, the Chairman shall appoint a Secretary pro temp.

#### ARTICLE 6. ELECTION OF OFFICERS

**Section 1.** An annual organization meeting shall be held during the first regular meeting of each calendar year, at which time officers will be elected and By-Laws reviewed and be made a part of the minutes of the meeting.

**Section 2.** Nominations shall be made from the floor at the annual organization meeting and elections of the officers specified in Section 1 of Article 5 shall follow immediately thereafter.

**Section 3.** A candidate receiving a majority vote from the members of the Commission present shall be declared elected and shall serve for one (1) year or until his successor shall take office.

**Section 4.** Vacancies in offices shall be filled by vote of the Commission following the procedures in Sections 2 and 3. The newly elected officer shall serve the unexpired term of the member he has replaced, or until his successor shall take office.

#### ARTICLE 7. MEETINGS

**Section 1.** Regular meetings will be held in accordance with the State Statutes. In the event of conflict with holidays or other events, a Special Meeting may be held in compliance with State Statutes.

**Section 2.** Special meetings shall be called as necessary by the Chair. Notice of such meeting shall be posted in the Office of the Town Clerk in accordance with State Statutes.

**Section 3.** 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 of the Commission present and voting.

**Section 4.** Robert's Rules of Order, as Revised, shall govern the proceedings at the meetings of this Commission except as modified by State and Federal Statutes and the Ordinances and Charter of the Town of Colchester or by these By-Laws.

#### ARTICLE 8. ORDER OF BUSINESS

**Section 1.** Unless otherwise determined by the Chair, the order of business at regular meetings shall be:

1. Call to order.
2. Additions to the Agenda
3. Minutes of Previous Meetings
4. Public Hearings
5. Five Minute Session for the Public
6. Pending Applications
7. New Applications
8. Preliminary Reviews
9. Old Business
10. New Business
11. Planning Issues and Discussions
12. Correspondence
13. Adjournment.

**Section 2.** The order of business for work and special meetings will be determined by the Chair.

#### ARTICLE 9. 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 prescribed by law shall be held in accordance to the requirements set forth for such hearings in Chapters 124 (Zoning), 126 (Planning) of the Connecticut General Statutes as amended.

**Section 3.** The matter before the Commission shall be presented in summary by either a member of the Commission or Town Staff. Parties in interest shall have the privilege of the floor.

**Section 4.** A competent stenographer shall take the evidence, or the evidence shall be recorded by a sound recording device, at each hearing before the Commission in which the right to appeal lies to the Superior Court of the State of Connecticut. Proceedings of the hearing shall be incorporated into the minute book of the Commission to be a permanent part of that record.

#### ARTICLE 10. CONDUCTING THE PUBLIC HEARING

**Section 1.** The Chairman of the Commission shall preside at the public hearing. In the event of his absence, the Vice Chairman or a duly appointed Commission member shall act as presiding officer.

**Section 2.** The Clerk shall read the legal advertisement and note the dates and newspapers in which the advertisement appeared.

**Section 3.** A summary of the question 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 hearing. The Commission shall have the privilege of speaking first. The Chairman shall describe the method of conduct of the hearing.

**Section 4.** The Chairman shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, the discretion of the Commission prevailing. Whichever the case may be, each group shall make its presentation in succession without allowing an intermixture of comments pro or con.

**Section 5.** It shall be made 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 state their name and any other applicable identification for the record before commenting on the matter before the hearing.

**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.

#### ARTICLE 11. PUBLIC RELATIONS

**Section 1.** The Town Planner or a duly appointed Commission member shall act as public relations or publicity director for the Commission. His duties include all news releases to the communications media. All information releases shall reflect the thinking of the majority of the Commission.

#### ARTICLE 12. COMMITTEES

**Section 1.** Membership on committees shall be appointed "ad-hoc".

**Section 2.** Special Committees may be appointed by the Chair for purposes and terms, which the Commission approves.

ARTICLE 13. CODE OF CONDUCT

Each member of the Commission must disqualify himself from discussion or acting on an issue by which he will derive a direct or indirect gain or suffer a direct or indirect loss. No member can appear before the Commission representing himself.

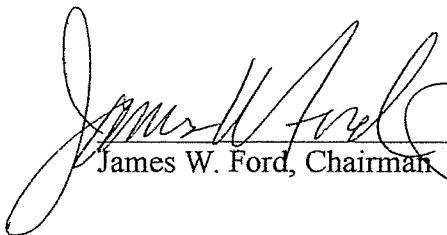
ARTICLE 14. AMENDMENTS

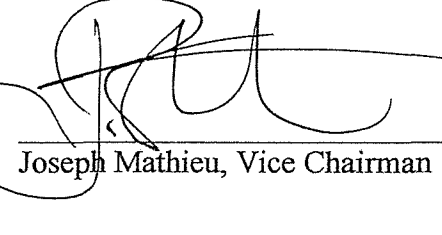
These By-Laws may be amended by a two-thirds vote of the entire membership of the Commission after appropriate Public Notice and the Commission


ARTICLE 15. ADOPTION

These By-Laws shall be adopted by vote of the Commission and shall become effective on the date specified by the Commission.

Dated at Colchester, Connecticut, this 1<sup>st</sup> day of March, 2006

  
James W. Ford, Chairman

  
Joseph Mathieu, Vice Chairman

  
Mark Noniewicz, Secretary

