

**TOWN OF COLCHESTER
ZONING BOARD OF APPEALS
127 NORWICH AVENUE
COLCHESTER, CT. 06415**

BY-LAWS

ARTICLE 1 - PURPOSE AND AUTHORIZATION

The objectives and purposes of the Zoning Board of Appeals of the Town of Colchester are those set forth in Chapter 124 - Zoning of the Connecticut General Statutes, as amended, and in accordance with the Zoning Ordinance of the Town of Colchester.

ARTICLE 2 - NAME OF BOARD

The Board shall be known as the Zoning Board of Appeals of the Town of Colchester, hereafter called the "Board".

ARTICLE 3 - RECORDS

Copies of all official documents and records of meetings will be filed and/or recorded in the Code Administration Department and the Office of the Town Clerk.

ARTICLE 4 - MEMBERSHIP

1. The membership and terms of office shall be as specified in the stated ordinance establishing the Board and the aforementioned General Statutes. The Board shall consist of five (5) members and three (3) alternates appointed by the Board of Selectmen for a term of five (5) years. Alternate members are expected to attend all meetings.
2. Absence of members or alternates from three (3) consecutive meetings or a total of six (6) meetings during any consecutive twelve (12) months shall result in the Chairman bringing the situation to the membership for consideration of requesting the resignation of that member. By majority vote, the Chairman will be directed to request, in writing, that the offending member submit his/her resignation or immediately resume attending meetings. Absence from two (2) additional meetings during the three (3) months following the resignation request vote shall result in immediate request to the Board of Selectmen to terminate membership and to appoint a replacement.
3. Resignations from the Board shall be in written form and transmitted to the Board of Selectmen, with a copy to the Chairman of the Zoning Board of Appeals. The Board of Selectmen shall name an appointee to serve the unexpired term of the member being replaced.

ARTICLE 5 - OFFICERS AND THEIR DUTIES

1. The Officers of the Board shall consist of a Chairman and a Vice-Chairman.
2. The Chairman shall preside at all meetings and Hearings of the Board and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to call special meetings, prepare the annual budget, and generally perform other duties as may be prescribed in these By-laws. The Chairman shall have the privilege of discussing all matters before the Board and voting thereon.

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3. The Chairman shall arrange that a record of all meetings be filed with the Town Clerk of the Town of Colchester, in accordance with law.
4. The Chairman shall arrange that a record of all correspondence of the Board be maintained in the Code Administration Office.
5. The Vice-Chairman shall act for the Chairman in his/her absence and have the authority to perform the duties prescribed by that office.

ARTICLE 6 - ELECTION OF OFFICERS

There shall be two (2) officers of the Board: a Chairman and a Vice-Chairman. Their terms of office shall be one (1) year, or until a successor has been elected. They shall be elected by majority of members seated on the Board at its January or next following meeting. The members may fill any vacancy in the position of any of the officers.

ARTICLE 7 - MEETINGS

1. Meetings will be held on the third Tuesday of the month, as needed, at 7:00 p.m., at the Colchester Municipal Office Complex. The Clerk shall notify the membership of these meetings not less than 48 hours in advance of such meetings.
2. Special meetings shall be called as necessary by the Chairman. The Clerk shall notify the membership of special meetings not less than 48 hours in advance of such meetings.
3. Robert's Rules of Order shall govern the proceedings at the meetings of this Board.

ARTICLE 8 - ORDER OF BUSINESS

1. Unless otherwise determined by the Chairman, the order of business at regular meetings shall be:
 - a. Call Meeting to Order.
 - b. Read Legal Warning.
 - c. Applications/Public Hearings.
 - d. Approval of Previous Meeting's Minutes.
 - e. Old Business.
 - f. New Business.
 - g. Approve Payment of Bills.
 - h. Adjournment.

2. The order of business for special meetings will be determined by the Chairman.

ARTICLE 9 - PUBLIC HEARINGS

1. All Public Hearings prescribed by law shall be held in accordance to the requirements set forth for such Hearings in Connecticut General Statutes.
2. The Chairman of the Board shall preside at the Public Hearing. In the event of his/her absence, the Vice-chairman shall act as presiding officer. The legal warning as advertised in the newspapers shall be read at the opening of the hearing. The Chairman shall state on the record the procedures for conducting an orderly hearing and parties in interest shall have the privilege of the floor.

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3. The Clerk shall take the evidence, and the evidence shall be recorded by a sound recording device, at each Public Hearing before the Board. Proceedings of the Hearing shall be incorporated into the Minute's Book of the Board to be a permanent part of that record.
4. Comments shall be limited to the subject advertised for the Hearing. The Board shall have the privilege of speaking first.
5. It shall be made clear at the beginning of the Hearing that all questions and comments must be directed through the presiding officer only after being properly recognized.
6. All persons recognized shall state his/her name and address for the record before commenting on the matter before the Hearing.
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. All meetings shall conform to the Board of Selectmen's policy , "Conduct At A Meeting", adopted January 13, 1994.
8. Polling or voting by the public in attendance shall not be allowed on any question presented at the Hearing. The Hearing shall be conducted for the purpose of taking testimony and collecting information to be considered by the Board in their action on the matter before them.

ARTICLE 10 - CODE OF CONDUCT

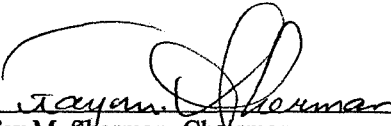
1. In the event of a conflict of interest, either real or apparent, members affected shall refrain from participation in decisions of the Board.
2. No member may represent another party before the Board.

ARTICLE 11 - AMENDMENTS

1. These By-Laws may be amended by a majority vote of the seated Board.

ARTICLE 12 - ADOPTION

1. These By-Laws accepted by vote of the Board on February 17, 1998 and shall become effective on March 1, 1998.


Fay M. Sherman, Chairman

Dated: 2/20/98

