



Town of Goshen Planning and Zoning Commission By-Laws

Article 1: Purpose and Authorization

The objectives and purposes of the Planning and Zoning Commission of the Town of Goshen are those set forth in Chapters 124 and 126 of the Connecticut General Statutes, 1958 Revision, as amended, and those powers and duties delegated to the Planning Commission by the aforementioned statutes by Title 49, an ordinance enacted at a special Goshen Town Meeting on March 19, 1988, in accordance with the enabling law cited above.

Article 2: Name

The Commission shall be known as the Town of Goshen Planning and Zoning Commission, referred to herein as the Commission.

Article 3: Office of Agency

The office of the Commission shall be the Goshen Town Offices, where all Commission records will be kept. Copies of all official documents, records, maps, etc. will be filed or recorded in the Office of the Town Clerk.

Article 4: Membership

Pursuant to the aforementioned Statutes and Title 49, the membership of the Commission shall consist of five (5) voting members and three (3) alternates. Terms of office shall be as specified in Title 49 (copy attached).

Article 5: Officers and Their Duties

Section 1: The officers of the Commission shall consist of a Chairman, a Vice-Chairman, and a Secretary.

Section 2: The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint committees, certify expenditures of funds up to \$100.00 without prior approval of the Commission, call special meetings, and generally perform other duties as may be prescribed in these by-laws.

Section 3: The Chairman shall be one of the members. He shall have the privilege of discussing all matters before the Commission and of voting thereon.

Section 4: The Vice-Chairman shall be one of the members. In the absence of the Chairman, the Vice-Chairman shall serve as Chairman pro tem. In the absence of both officers, the senior voting member among those present shall act as Chairman pro tem at any scheduled meeting.

Section 5: The Secretary, with the assistance of staff personnel, shall keep the minutes and records of the Commission, prepare the agenda of regular and special meetings under the discretion of the Chairman, arrange proper and legal notice of hearings, attend to correspondence of the Commission, provide notice of all meetings to Commission members, and perform such other duties assigned by the Chairman as are normally carried out by a Secretary.

Section 6: In the absence of the Secretary, the Chairman shall appoint a Secretary pro tem.

Article 6: Election of Officers and Scheduling of Regular Meetings

- Section 1:** An annual organizational meeting shall be held at the regular January meeting, at which time officers will be elected and bylaws reviewed and made part of the minutes of the annual meeting. All members must be notified of the annual meeting in writing or via email before election of officers can take place.
- Section 2:** Nominations shall be made from the floor at the annual organizational meeting, and elections of the officers as specified in Section 1 of Article 5 shall follow immediately thereafter.
- Section 3:** A candidate receiving a majority vote of the five (5) voting members of the Commission 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 at the next regular meeting in accordance with Sections 2 and 3 above.
- Section 5:** Resignations from the Commission shall be in written form with original signature and transmitted to the Town Clerk, who will then forward same to the Chairman and the Town of Goshen Board of Selectmen.
- Section 6:** No later than the regular December meeting, regular meeting dates for the upcoming year shall be established and filed with the Town Clerk no later than 30 days prior to the first meeting of the upcoming year.

Article 7: Meetings

- Section 1:** Regular meetings shall be held on the fourth Tuesday of each month at 7:30PM at the Town Offices, unless otherwise scheduled by the Commission on the meeting calendar filed with the Town Clerk. In the event of conflict with holidays or other events, a majority at any meeting may change the date of said meeting, and a special meeting will then be scheduled.
- Section 2:** A majority (three) 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 the voting membership present, unless otherwise required by State Statute or the pertinent Regulations.
- Section 3:** The notice of a meeting other than a regular meeting shall specify the purpose of such a meeting, and no other business may be considered other than what is on the agenda filed with the Town Clerk. The Secretary or staff personnel shall notify all members of the Commission in writing or by email not less than 24 hours in advance of such meeting.
- Section 4:** In compliance with the Freedom of Information Act, all Commission meetings, hearings, and other proceedings shall be open to the public when in session.
- Section 5:** Executive session shall only be called in accordance with the Freedom of Information Act following an affirmative vote of two-thirds of the members present. The reason for the executive session must be stated on the record, and no action may be taken during executive session.
- Section 6:** Unless otherwise specified, *Robert's Rules of Order* shall govern the proceedings at the meetings of this Commission.

Article 8: Disqualification

No member shall appear for or represent any person, firm or corporation or other entity in any matter pending before the Commission. No member shall participate in a hearing or decision of the Commission 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. The Chairman shall, if necessary, appoint an alternate member to act in the hearing and determination of the particular matter or matters in which the disqualification arose.

Article 9: Order of Business

- Section 1:** Unless otherwise determined by the Chairman, the order of business at regular meetings shall be:
- A) Call to Order;
 - B) Reading of Minutes of previous meeting and action thereon;

- C) Old Business;
- D) New Business;
- E) Communications and Bills;
- F) Reports of Officers and Committees;
- G) Other Business Proper to Come Before the Commission;
- H) Public Comment, limited to 2 minutes per resident & only pertaining to P&Z;
- I) Adjournment.

Section 2: A motion from the floor must be made and passed in order to dispense with any item on the agenda or change the order of business.

Article 10: 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 as permitted by State Statute and the pertinent Regulations.

Section 2: All public hearings prescribed by law shall be held in accordance with the requirements set forth for such hearings in Chapter 124 and 126 of the Connecticut General Statutes.

Section 3: The matter before the Commission may be presented by an applicant or staff personnel, and parties of 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 exists. Proceedings of the hearing shall be incorporated into the minute book of the Commission, located in the Town Clerk's Office, to be a permanent part of that record. (Chapter 124 Section 8-

Article 11: 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 shall preside. In the event of his absence, a duly appointed Commission member shall act as Chairman pro tem.

Section 2: The Secretary 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 Chairman at the opening of the public hearing. The Chairman shall prescribe the method of conduct of the hearing. Comments shall be limited to the subject advertised for hearing. The applicant shall have the privilege of speaking first to explain their application. Members of the Commission shall then have the opportunity to ask questions regarding the application.

Section 4: When the floor is opened to public comment, 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 Chairman.

Section 6: All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing, each person shall give his name and address.

Section 7: The Chairman shall conduct an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times. The Chairman shall reserve the right to terminate the hearing in the event the discussion becomes unruly and unmanageable.

Section 8: The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular meeting of the Commission.

Article 12: 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.

Article 13: Committees

Committees may be appointed by the Chairman for purposes and terms which the Commission approves.

Article 14: Public Relations

Section 1: The Chairman or a duly appointed Commission member or staff personnel shall act as public relations or publicity director for the Commission. Their duties shall include the preparation of all news releases to be distributed to the communications media. All information releases shall reflect the thinking majority of the Commission.

Section 2: In the matter of the press, radio, and television representatives, the Commission shall comply with Chapter 3, Sections 1-19, 1-20, 1-21, of the Connecticut General Statutes, 1958 revision, as amended.

Article 15: Amendments

These bylaws may be amended by a two-thirds vote of the voting membership of the Commission, only after the proposed change has been read and discussed in a previous regular meeting except that the bylaws may be changed at any meeting by the unanimous vote of the voting membership of the Commission.

**Approved March 6, 1990
Revised January 21, 1992
Revised March 28, 2017
Revised December 19, 2023**

TITLE 49

ADOPTION OF ZONING:

Establishment of the PLANNING AND ZONING COMMISSION

The Town of Goshen, pursuant to Sections 8-1 and 8-4a of the Connecticut General Statutes, hereby designates its current Planning Commission as the Goshen Planning and Zoning Commission with authority to exercise the powers and duties delegated to the Town by Chapter 126 ("Municipal Planning Commission") of the Connecticut General Statutes and by Chapter 124 ("Zoning") of the Connecticut General Statutes, which Chapter is hereby adopted.

ELECTION AND TERM OF OFFICE

The Planning and Zoning Commission shall consist of five (5) members elected for four (4) year terms, the present Planning Commission members to complete serving the terms for which they were elected to the existing Planning Commission, as authorized by Section 8-4a of the Connecticut General Statutes. Any vacancy occurring among the members or alternate members of such Commission shall be filled by the Board of Selectmen within thirty (30) days after such vacancy occurs, until the next regular municipal election, when the unexpired term, if any, shall be filled by the electors of the Town.

ALTERNATES

Pursuant to Section 8-1b three (3) alternate members of the Planning and Zoning Commission shall be elected for terms of four (4) years each to commence upon the expiration of the terms of the present alternate members of the Planning Commission who shall complete the terms of office to which they have been elected. Alternates shall be chosen by the chairman to serve on a rotating basis unless disqualified from sitting on a particular case or decision. Members of and alternates to the Planning and Zoning Commission may be removed for the unexpired portion of their terms by a majority vote of the Board of Selectmen but only after good cause shall have been established.

ZONING BOARD OF APPEALS

A Zoning Board of Appeals is hereby established pursuant to Section 8-5 of the Connecticut General Statutes. The Board shall consist of five (5) members and three (3) alternates all of whom are to be appointed by the Board of Selectmen for two (2) year terms, except that two of the regular members and one of the alternate members shall serve an initial term of only one year. All regular and alternate members shall be electors of the Town of Goshen and shall not be members of the Goshen Planning and Zoning Commission. If a regular member is unable to attend, or has disqualified himself, an alternate member shall be chosen to serve by the chairman on a rotating basis unless the alternate is also disqualified. The regular members and alternate members when sitting on the Board shall exercise all powers and duties delegated to the Board by the Zoning Regulations of the Town of Goshen and by state statute.

This ordinance shall take effect 15 days after publication thereof in a newspaper having a circulation in the Town of Goshen

ADOPTED: March 19, 1988
PUBLISHED: March 24, 1988
EFFECTIVE: April 8, 1988