

7 April 2009

BYLAWS of the Groton Planning Commission

Adopted 7 April 2009

1. Establishment of Bylaws

The Bylaws of the Groton Planning Commission, hereafter referred to as the "Commission," are hereby established pursuant to 24 V.S.A. S. 4323 (C). These bylaws shall be effective from the date of adoption, and may be amended from time to time by a two-thirds vote of the Commission.

2. Membership

In accordance with 24 V.S.A. Chapter 117, the Commission shall consist of five (5) citizens appointed by the Selectboard. Any appointment to the Commission shall be for a term of three (3) consecutive years. Members may be appointed to successive terms without limitation. Any member desiring reappointment, or resident desiring an appointment to the Commission, must apply to the Clerk's office and obtain a nomination from a member of the Selectboard or Planning Commission.

3. Vacancies/Removal

Vacancies shall be filled by the Selectboard upon the expiration of such term or an unexpired portion of any term. Any member of the Commission may be removed at any time by unanimous vote of the Selectboard.

4. Abstentions from Participation and Voting

In order to secure, protect, and preserve the highest level of public trust in the deliberation and decision of the Groton Planning Commission, it is incumbent upon each member not only to scrupulously avoid any act which constitutes a conflict of interest established in law, but also to avoid any act which gives the appearance of bias, favoritism, or of interest.

A member shall withdraw from all participation, including all formal and informal discussion and voting, in any deliberation of the Commission or its committees or any issue upon declaration of a conflict of interest or upon the assertion that there is a reasonable public presumption that bias, favoritism, or a conflict of interest may exist. Circumstances under which this provision shall be exercised include, but are not limited to, the following:

- A. If the member has a direct or indirect financial interest in the outcome of the matter at issue. A direct financial interest shall include, but not be limited to, circumstances in which the member is an applicant, a provider of professional or business service to the applicant, serves on the board of directors, or receives any form of remuneration or benefit from the applicant.
- B. Indirect financial interest shall include, but is not limited to, if an immediate family relative or close personal friend has, or is likely to have, a direct financial interest in the outcome of the matter;
- C. Or if the matter at issue involves the member's own official conduct;

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- D. Or if participation in the matter might violate the letter or spirit of a member's code of professional responsibility;
- E. Or if a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.

5. Ex Parte Communication

No member shall communicate, directly or indirectly, with any applicant except in the presence of staff or at Planning Commission meetings that have been properly noticed. Office meetings and site visits to which staff members have requested the presence of one or more Commissioners are exempt from this requirement.

6. Offices

At the first meeting in July of each year, the Planning Commission shall elect, by majority vote, a Chairperson, Co-Chairperson and Secretary from its members. Terms of office shall be for one year. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the Commission.

7. Powers and Duties

In accordance with 24 V.S.A. Chapter 117, the Groton Planning Commission:

- A. Shall prepare a Town Plan and amendment thereof for consideration by the Selectboard and to review any amendments thereof initiated by others as set forth in 24 V.S.A. 4384;
- B. Shall prepare and present to the Selectboard, from time to time, proposed bylaws and make recommendations to the Selectboard on proposed amendments to such bylaws;
- C. Shall undertake studies and make recommendations on matters of land development, urban renewal, transportation, economy, and social development, urban beautification and design improvements, historic and scenic preservation, the conservation of energy, and the development of renewable energy resources;
- D. Shall prepare and present to the Selectboard recommended construction specifications for streets and related public improvements pertaining to subdivision development;
- E. May prepare and present to the Selectboard a recommended annual capital budget and future capital programs;
- F. Shall hold public meetings;
- G. Shall undertake comprehensive planning, which may include related preliminary planning and engineering studies;
- H. Shall prepare and present to the Selectboard, from time to time, recommended fees for the administration of zoning and subdivision regulations;
- I. Perform such other acts or functions as it may deem necessary or appropriate to fulfill the duties and obligations imposed by, and consistent with, the intent and purpose of 24 V.S.A. Chapter 117 and the Groton Town Plan;

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- J. May require from other departments such available information as it relates to the work of the Planning Commission;
- K. May, in the performance of its functions, enter upon land to make examinations and surveys;
- L. May participate in a regional planning program; and
- M. May retain staff and consultant assistance in carrying out its duties and powers.

8. Meetings/Minutes

Meetings of the Planning Commission shall be held at the call of the Chairperson unless otherwise determined by majority vote of the Commission. The Chairperson may also call special meetings of the Commission. All meetings of the Commission shall be open to the public, except as provided by law. The Commission shall keep minutes of every regular or special meeting. The minutes shall include, but not be limited to, the names of the persons appearing and addressing the Commission, any action taken by the Commission, the findings, if any, made by the Commission and reasons thereof. The minutes shall thereafter be made available for public inspection during normal business hours at the office of the Town Clerk. Any interested party shall have the right to a reproduction of the minutes in an amount sufficient to cover the costs of such reproduction.

9. Notice

No regular or special meeting of the Commission shall be held without providing warning at least twenty-four (24) hours by posting such notice in three public places. Public hearings shall require no less than fifteen (15) days prior notice including advertising in a newspaper of general publication within the town and posting on the Town Clerk's community board.

10. Quorum

For the conduct of any meeting or hearing and the taking of any action, a quorum shall be no less than a majority of the members of the Commission and any action thereof shall be taken by a majority of the members of the Commission.

11. Public Hearing

Prior to Planning Commission action on the adoption of any amendment to the Town's Zoning Bylaws, Subdivision Regulation, Official Map, or Town Plan, a public hearing shall be held by the Planning Commission after public notice.

12. Ex-Officio Member

One or more members of the Selectboard shall be a non-voting ex-officio member of the Commission.

13. Special Meetings

Special meetings of the Commission may be called by the Chairperson, when he or she deems it expedient, or upon the request of two (2) members of the Commission for the purpose of transacting any business designated in the call. Notice to each member of the Commission for a Special Meeting

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may be by telephone or otherwise at least twenty-four (24) hours prior to the date of such special meeting. At such special meeting, no business shall be considered other than specified in the call.

14. Governance Procedures

Robert's Rules of Order, as revised, shall govern proceedings of the Commission in all cases which are not specifically covered by other laws, ordinances, bylaws, or regulations.