

TOWN OF RIDGEFIELD
BY-LAWS
Planning and Zoning Commission

ARTICLE I - PURPOSE AND AUTHORIZATION

The objectives and purposes of the Planning and Zoning Commission of Ridgefield are those set forth in Chapter 124, 126 and 126A of the Connecticut General Statutes, as amended, and those powers and duties delegated to the Planning and Zoning Commission by the Connecticut General Statutes, and by ordinance entitled, "An Ordinance Designating the Planning Commission as the Planning and Zoning Commission", adopted September 18, 1965, effective October 8, 1965, in accordance with the above enabling law.

ARTICLE II - NAME

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

Unless otherwise specified, for the purpose of these by-laws the word "Commission" shall refer to the Planning & Zoning Commission.

ARTICLE III - OFFICE OF AGENCY

The office shall be at the Town Hall Annex (66 Prospect Street) where all records of the corresponding agency will be kept. Copies of all official documents, records, maps, etc., will be filed or recorded in the office of the Town Clerk.

ARTICLE IV- MEMBERSHIP

The membership and terms of office shall be as specified in the above ordinances, as amended, and the aforementioned General Statutes.

The First Selectman shall also be a member of the Planning and Zoning Commission, without voting privileges.

ARTICLE V - OFFICERS AND THEIR DUTIES

Sec. 1- The officers shall include a Chair, and a Vice-Chair. They shall be elected by and from the membership of the Commission.

Sec. 2 - The Chair shall preside at all meetings and hearings and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall have the authority to appoint committees with the advice and consent of the membership; to call special meetings; and generally perform other duties as may be prescribed in these By-Laws.

Sec. 3 - The First Selectman of Ridgefield, when it is their judgment that it will serve the interests of the Town of Ridgefield and the orderly activities of the Planning and Zoning Commission, may submit resolutions to the Commission and shall have the right to speak for them the same as any voting member, and said First Selectman shall have the privilege of the floor at all meetings to the same extent as a voting member.

Sec. 4 - The Vice Chair shall act for the Chair in their absence and have the authority to perform the duties prescribed for that office.

ARTICLE VI - ELECTION OF OFFICERS

Sec. 1 - An annual election of officers shall be conducted in election years at the first meeting attended by newly sworn members and in non-election years at the first meeting in December. During said meeting, these By-Laws may be reviewed and/or revised and any revision acted upon shall be so noted in the minutes of the Commission.

Sec. 2 - Vacancies in office shall be filled by regular election procedure as prescribed in the ordinance establishing the Commission.

Sec. 3 - Resignations shall be transmitted to the Chair, who will then forward same to the First Selectman of the Town and to the Town Clerk.

ARTICLE VII - MEETINGS

Sec. 1 - Regular meetings shall be held in accordance with a schedule approved by the Commission in December for the ensuing calendar year. The schedule, including time for the meetings, shall be filed in the Office of the Town Clerk. In the event of conflict or unanticipated events or other circumstances, the scheduled meetings may be changed provided that notice of such change is filed in the Office of the Town Clerk and that a copy of the notice is sent to each member.

Special meetings may also be scheduled for the purpose of inspecting properties that are the subject of applications; or for the purpose of holding required public hearings; or for the purpose of other special unanticipated events.

Sec. 2 - No new applications submitted for consideration and/or action shall be considered accepted unless the official receipt date has been acted upon. The date of receipt of a petition, application or request shall be as prescribed in the Statutes.

Sec. 3 - A majority of the voting membership shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of members present, unless otherwise provided by State law.

Sec. 4 - Unless otherwise specified, the conduct of meetings shall be guided and shall proceed in accordance with the parliamentary procedures described in the latest version of the Robert's Rules of Order.

ARTICLE VIII - DISQUALIFICATION

Sec. 1 - No member shall appear for or represent any person, firm or corporation or other entity in any matter pending before the Commission. No member of the Commission shall participate in the hearing or decision on any matter in which they are directly or indirectly interested in a personal or financial sense. The reasons for and fact of such disqualification shall be entered on the records.

Sec. 2 - Members are expected and are encouraged to attend and to participate to the extent necessary at public hearings in connection with matters pending before it. In the event that a member was absent or has not fully attended a public hearing, said member shall disqualify

themselves from participating in the decision regarding such public hearing matter unless they become fully familiar with all material connected with the application and the public hearing held thereon.

ARTICLE IX - HEARINGS

Sec. 1 - The Commission may hold public hearings, in addition to required hearings, when it decides that such hearings will be in the public interest. The policy is that all members shall be present at all hearings.

Sec. 2 - All public hearings prescribed by law shall be held in accordance to the requirements set forth for such hearings in chapters 124, 126 and 126A of the Connecticut General Statutes.

Sec. 3 - The matter before the Commission shall be presented by the applicant or, if self-initiated, by a member of the Staff or of the Commission, and interested parties shall have the privilege of the floor.

Sec. 4 - The full proceedings shall be recorded by a sound-recording device at each hearing in which the right to appeal lies to the Superior Court. Proceedings of the hearing shall be incorporated into the minute book to be a permanent part of that record, or the recorded tape shall be retained in the office.

Public hearings may be held at the Town Hall Annex or, depending on the circumstances or the anticipated audience, at any other public Town building.

ARTICLE X - CONDUCTING THE PUBLIC HEARING

Sec. 1 - The Chair or the acting Chair shall be the Presiding Officer at the public hearing. In the event of the Chair's absence, the Vice Chair, or a duly appointed member shall act as presiding officer.

Sec. 2 - A Staff member or Chair's designee shall read the legal notice into the record including dates of publication and name of newspaper in which the notices appeared.

Sec. 3 - The applicant or, in the case of self-initiated items, a member of the Staff, shall present the application to the extent necessary. Comments shall be limited to the subject advertised for hearing. The Presiding Officer shall describe the method of conduct of the hearing.

Sec. 4 - It shall be made clear at the hearing that all questioners shall direct questions to the Chair only after being properly recognized by the Presiding Officer.

Sec. 5 - Each person commenting or questioning an application shall first state their name and address. Anyone may appear in person or by agent; however, any agent must state their name and address and the name and address of the person or persons they represent if not appearing for himself or herself.

Sec. 6 - The Presiding Officer shall assure an orderly hearing and shall take the 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 unmanageable.

Sec. 7 - A show of hands by members of the public present shall not be allowed on any general question presented at the public hearing. The hearing shall be conducted only for the purpose of taking testimony to be considered during ensuing deliberations.

ARTICLE XI - EMPLOYEES

The Commission may employ such staff personnel and/or consultants necessary, or may direct the staff to do the same to aid its work.

Where there is a Director of Planning and Zoning, they may be authorized by the Commission to employ personnel, to retain consultants and to incur routine office expenditures all within the limits of the appropriations.

The Director of Planning and Zoning shall keep the minutes and records and, with the assistance of such staff as available, shall prepare the agenda of regular and special meetings and provide notice of all meetings to Commission members, arrange proper and legal notices of hearings, attend to all correspondence and such other duties as are normally carried out by a Secretary.

ARTICLE XII - PUBLIC RELATIONS

The Chair, or a duly appointed member, or the Director of Planning and Zoning shall act as public relations or publicity director. Their duties shall include the preparation of all news releases to be distributed to the communications media.

ARTICLE XIII - VOTING BY PROXY

Written proxies may not be submitted; no vote by proxy is authorized.

ARTICLE XIV - AMENDMENTS

These By-Laws may be amended by a two-thirds (6 out of 9) vote of the voting membership of the Commission only after the proposed change has been read and discussed at the previous regular meeting, except that the By-Laws may be changed at any meeting by the unanimous vote of the entire voting membership of the Commission.

BY-LAWS OF THE RIDGEFIELD PLANNING and ZONING COMMISSION

ADOPTED: November 2, 1965

AMENDED: January 10, 1967

ARTICLE VI Sec. 1

Sec. 3

ARTICLE XV becomes ARTICLE XVI Amendments

ADOPTED: ARTICLE XV Voting By Proxy

AMENDED: October 1, 1968

ARTICLE VI Sec. 3

ARTICLE VII Sec. 3

ARTICLE XVI

AMENDED: November 18, 1975
ARTICLE VI Sec. 1
ARTICLE VII Sec. 1

ADOPTED: February 3, 1976
Appendix 'A' MINUTES

AMENDED: December 5, 1989

ARTICLE VI Sec. 1

BY-LAWS OF THE RIDGEFIELD PLANNING and ZONING COMMISSION and
THE INLAND WETLANDS BOARD

REVISED AND ADOPTED: January 24, 1978

AMENDED: December 5, 1989
Article VI Sec. 1

REVIEWED, AMENDED AND ADOPTED:

February 2, 1993

AMENDED: December 14, 1993
Article VI Sec. 1

AMENDED: December 12, 1995
Article IV, Second Paragraph

AMENDED: January 11, 2005
Article V Sec. 3
Article VI Sec. 3
Article VII Sec. 1
Article VIII Sec. 2
Article X Sec. 5 & 7
Article XI 1st & 2nd paragraph
Article XIII

APPENDIX "A" - MINUTES

1. Minutes to be taken at hearings.

Minutes at hearings should be particularly brief for they are supported by recordings.

The minutes should consist then of the following:

- a. Title of Hearing Matter (same as final Agenda)
- b. Introduction by Chair or brief notation of date or dates and name of newspaper in which legal notice(s) appeared.
- c. If the hearing is by applicant, the minutes should contain the names of parties appearing on behalf of applicant such as professional engineer, surveyor,

architect, etc.

If the hearing is self-initiated, the minutes should reflect the name of the Commission spokesman.

d. Under paragraphs reading:

“The Chair invited questions of fact by Commission Members”

“The Chair invited questions of fact by the Public”

“The Chair invited presentations against the proposal”

“The Chair invited presentations in favor of the proposal”

Persons speaking to the particular point should be noted; if no one speaks to any one or more of the points, the minutes should reflect it.

e. The final notation on the minutes should read:

“Hearing no further comments, the Chair adjourned the hearing at XX
P. M.”.

2. Minutes to be taken during deliberations.

These minutes must clearly reflect reasons for action and conditions of approval or modifications.

The minutes should reflect the following:

a. Title of Item under discussion (from Agenda)

b. Summary of Application (by Chair, Recording Secretary of Commission, or staff member)

c. Motion - Optional

At this point, the Chair invites a motion from the floor regarding the subject under deliberation.

It is suggested that the motion be fully stated for the recording secretary.

d. Summary of Deliberation

This is the most critical aspect of the deliberation process and it is the process contents the courts review to reach a judgment in case of contest. The Chair invites deliberation. As each member speaks, a notation is taken of the salient point expressed by the speaker. At the end of the deliberation process, the Recording Secretary submits a summary of the salient points. Commission members consent on the summary of salient points and the Recording Secretary records the summary together with any revision made during summary review. Final points for acceptance or denial are acted upon by the Commission. When deemed proper, the Chair ends deliberation.

e. Motion - Optional

At this point, the Chair invites a motion from the floor regarding the subject under deliberation.

It is suggested that the motion be fully stated for the recording secretary.

f. Votes

The minutes should clearly reflect the names voting "ayes" and "nays".

3. Minutes to be taken during self-initiated planning or zoning matters

These minutes reflect actions on items initiated by the Commission. These items are placed on the final Agenda to invite deliberation or instructions to the staff, thus the minutes should reflect the following:

a. Title of Item under Discussion (from Agenda)

b. Summary of Item (by Chair or staff member)

c. Motion - Optional

Similar to procedure for item 2. c.

d. Summary of Deliberation

This should be essentially the same as for deliberation on applications.

It must be remembered, however, that the staff is looking for specific items to effect revisions, corrections or deletions. The summary should be clear and concise.

e. Motion - Optional

Similar to procedure for item 2.c.

f. Votes

If a vote is forthcoming, the minutes should reflect the names voting "ayes" and "nays".

ADOPTED: February 3, 1976

REVISED: December 3, 1991

REVISED: February 2, 1993

REVISED: January 18, 2005

Modify Article VII, "Meetings"

BY-LAWS OF THE RIDGEFIELD PLANNING AND ZONING COMMISSION

AMENDED: **January 7, 2020**

Modify Article I, Delete Sec. 2 and Sec. 3

Modify Article II, "Name"

Modify Article V, "Officers and Their Duties", Sec. 1,2,3,4

Modify Article VI, "Election of Officers", Sec. 3

Modify Article VII, "Meetings", Sec. 2

Modify Article VIII, "Disqualification", Sec. 1,2

Modify Article IX, "Hearings", Sec. 2,3,4

Modify Article X, "Conducting the Public Hearing", Sec. 1,5,7

Modify Article XI, "Employees"

Modify Article XII, "Public Relations"

Delete Article XV, "Inland Wetlands Board"

Delete Article XVI, "Aquifer Protection Agency"

Modify Appendix A