

**TOWN OF SOMERS**  
**ZONING COMMISSION**

## BY-LAWS

Article I: Purpose and Authorization

The objectives and purposes of the Zoning Commission of Somers, Connecticut are those set forth in Chapter 124 of the Connecticut General Statutes, as amended, and those powers and duties delegated to the Somers Zoning Commission by the aforementioned statutes, and by Ordinances and Special Acts of the Town of Somers.

Article II: Name

The Commission shall be known as the Somers Zoning Commission.

| <u>Article III:</u> | <u>Location</u> |
|---------------------|-----------------|
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The office of the Somers Zoning Commission shall be at Town Hall, 600 Main Street, Somers, Connecticut 06071, where all Commission records will be kept, or at such other location designated by the Board of Selectmen.

## Article IV: Membership

The membership and terms of office shall be as specified in the above stated ordinance establishing the Commission and the aforementioned General Statutes.

## Article V: 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 certify expenditures of funds with 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 Commission members. The Chairman shall have the privilege of discussing all matters before the Commission and for voting thereon.

Section 4. The Vice-Chairman shall be one of the Commission members. The Vice-Chairman shall act for the Chairman in his absence and have the authority to perform the duties prescribed for that office.

Section 5. The Secretary shall be one of the Commission members. The Secretary shall ensure the minutes and records of the Commission are kept and, with the assistance of such staff as is available, shall - under the authority of the Chairman - be responsible for preparing and distributing the agenda of regular and special meetings to Commission members, arrange proper and legal notice of hearings, and attend to correspondence for the Commission.

Section 6. In the absence of the Secretary due to illness, personal, or disqualification reasons, the Chairman shall appoint a Secretary pro tem.

#### Article VI:

#### Election of Officers

Section 1. An annual meeting shall be held on the first regularly scheduled meeting in January at which time officers will be elected and by-laws reviewed and be made part of the minutes of the annual 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 V shall follow immediately thereafter.

Section 3. A candidate receiving a majority vote of the Commission shall be declared elected and shall serve for one year or until his successor shall take office.

Section 4. Vacancies in offices shall be filled by regular election procedures at the next regular meeting of the Commission.

Section 5. Resignations from the Commission shall be in written form and transmitted to the Town Clerk with a copy to the First Selectman and the Chairman of the Zoning Commission.

#### Article VII:

#### Meetings

Section 1. Regular meetings will generally be held on the *first* (and third) Monday of each month at the Town Hall, 600 Main Street, Somers, Connecticut. In the event of conflict with holidays, such regular meetings shall be held on the next business day. Unless approved by a majority of the Commission members, there shall be no regularly scheduled meetings during the month of August, and only one regularly scheduled meeting for the month of December. The

notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by consent of the Commission.

Section 2. A majority of the members 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, unless otherwise provided by law.

Section 3. All Commission meetings shall be open to the public when in session except when in executive session and when so voted by two-thirds of the Commission members present and voting.  
(Chapter 3, Section 1-21 of the General statutes, as amended).

Section 4. Special meetings of the Commission may be called by a minimum of three (3) regular members.  
(Chapter 3, Section 1-21 of the Connecticut General Statutes, as amended).

Section 5. Unless otherwise specified, Robert's Rules of order shall govern the proceedings at the meetings and hearings of the Commission.

Section 6. Members and alternates are expected to attend a minimum of 75% of the regular meetings; and all public hearings held by the Commission. Alternate members will be seated on a rotating basis, alphabetically by last name. Alternates not in attendance when next in rotation will be passed and placed at the end of the rotation schedule.

#### Article VIII:

#### Order of Business

Section 1. Unless otherwise determined by the Chairman, the order of business at regular meeting shall be:

1. Call to Order
2. Public Hearing(s), if any
3. Approval of Minutes of previous Meeting
4. Old Business
5. New Business
6. Staff Reports
7. Correspondence and Bills
8. Adjournment

The Zoning Commission appreciates citizen input. Please contact the Town Planner or the Zoning Enforcement Officer during regular business hours or in writing to find out the best way to communicate your concerns.

Section 2. A motion must be made and passed by two-thirds of the Commission members, present and voting, in order to dispense with any item on the agenda or change the order of business.

Section 3. No scheduled business submitted for action by the Commission shall be acted upon unless it is received at least two business days prior to a regular meeting date. Provisions of this section may be waived by the consent of the Commission.

#### Article IX:

#### 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 Chapter 124 (Zoning) of the Connecticut general Statutes, as amended.

Section 3. The matter before the Commission shall be presented in summary by a member of the Commission designated by the Chairman, or staff member, and 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 such hearing before the Commission in which the right to appeal lies to the Superior Court. Proceedings of the hearing shall be incorporated into the minute book of the Commission to be a permanent part of that record. (Chapter 124, Section 8-7a Connecticut General Statutes, as amended).

#### Article X:

#### 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 a presiding officer.

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 presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. 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. 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, before commenting on the matter before the hearing, give his name and address.

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 Commission shall have the right to postpone the hearing in the event the discussion becomes unruly and unmanageable.

Section 8. The show of hands by those persons 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 in deliberations of the Commission.

#### Article XI:

#### Employees

Within the limits of available funds, the Commission may hire employees and/or consultants as it sees fit to aid the Commission in its work, subject to a majority vote of the Commission.

#### Article XII:

#### Public Relations

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, as amended.

#### Article XIII:

#### Recording of Public Meetings/Hearings

Pursuant to Connecticut General State Statutes Section 1-21a., any person wishing to record a meeting or hearing of the Commission, whether an audio or video recording, may do so under the following conditions:

1. All video recording devices must be positioned a minimum distance of 50 feet from the Commission table or the back of the meeting room, whichever is closer, so as not to disrupt the Commission or audience during the meeting. All audio recording equipment shall be placed a reasonable distance from the Commission so as not to interfere with the Commission or disrupt the meeting. The Chairman or presiding officer shall determine a reasonable minimum distance for audio recording devices on a case by case basis.

2. No more than one 100 watt light bulb may be used to illuminate the room.

3. Any recording devices must be set up prior to the beginning of the meeting and taken down after the meeting has ended to eliminate any disruption to the commission proceedings. If the Chairman declares a recess in the meeting, equipment may be taken down at that time but must be completed by the time the Commission resumes its meeting.

Article XIV:

These by-laws may be amended by a majority vote of the Commission, only after the proposed change has been read and discussed at a previous regular meeting.

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Jill Conklin, Chairman

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Dan Fraro, Secretary

Adopted by this Commission

**Amended:** February 3, 1997  
November 17, 1997  
January 19, 1999  
January 22, 2001  
February 4, 2002  
January 21, 2003  
January 20, 2004  
July 26, 2004  
January 3, 2005 (reviewed – no amendments)  
January 17, 2006 (reviewed – no amendments)  
January 8, 2007 (reviewed – no amendments)  
January 7, 2008 (reviewed – no amendments)  
January 5, 2009 (reviewed – no amendments)  
January 7, 2010  
March 15, 2010  
February 15, 2011  
January 6, 2013 (reviewed-no amendments)  
March 3, 2014 (reviewed-no amendments)  
January 20, 2015 (reviewed-no amendments)  
February 1, 2016

*latest amendments in italic bold type - deletions in ( )*