IMPORTANT NOTICE

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Visitors are encouraged to review the official version of all documents upon which they plan to rely.
# By-Laws

**Watertown Planning & Zoning Commission**

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ARTICLE I

PURPOSE AND AUTHORIZATION

The objectives and purposes of the Planning & Zoning Commission Town of Watertown, Connecticut are those set forth in the Connecticut General Statutes Title 8 Chapter 124 (Zoning) and Chapter 126 (Planning), latest revision as amended, and those powers and duties delegated to the Planning and Zoning Commission by the Watertown Town Charter. The purpose of these By-Laws is to define Commission procedures and policies for administering Planning and Zoning matters.1

ARTICLE II

NAME OF COMMISSION

The Commission shall be known as the Planning and Zoning Commission, Town of Watertown, Connecticut.

ARTICLE III

OFFICE OF COMMISSION

The office of the Planning and Zoning Commission shall be located within the office of the Administrator for Land Use / Zoning Enforcement Officer where Commission records shall be kept. The Commission shall determine the location where Commission records are stored. Copies of all official documents, records, maps, etc., shall be filed and recorded in the office of the Watertown Town Clerk.2

ARTICLE IV

MEMBERSHIP

Section 1 The Planning & Zoning Commission shall consist of seven (7) Regular members and three (3) Alternate members who shall be electors of the Town of Watertown. The Town Council shall appoint Regular members and Alternate members for a term of six (6) years. Any vacancy shall be filled by appointment of the Town Council to serve the unexpired term of the member whose office has been vacated. The

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1 As Amended July 2, 1986 and May 19, 2004
2 As Amended July 2, 1986 and March 5, 2008
Planning & Zoning Commission encourages the Town Council to appoint Regular members from presently serving Alternates.¹

Section 2 Alternate members shall when seated as herein provided, have all powers and duties set forth in the Connecticut General Statutes and Special Acts. Alternate members shall not be members of the Zoning Board of Appeals. If a Regular member is absent or disqualified the Chairman of the Commission shall designate an Alternate to act in place of a Regular member, choosing Alternates in rotation so they shall act as nearly equal a number of times as possible. If any Alternate is not available in accordance with such rotation, such fact shall be recorded in the Minutes of the meeting. All Alternates may be involved in discussion included on the Agenda but may not vote unless designated by the Chairman to act as a Regular member.

Section 3 The Commission may request the Watertown Town Council to seek the resignation of any Commission member who fails to attend three (3) successive Regular meetings without good cause. The Commission by two-thirds (five members) vote of approval may authorize the Chairman to send a letter to the absent member requesting attendance at Commission meetings or to vacate their appointment. After continued absence from meetings and a reasonable period of time for the absent member to respond to the letter, the Commission may by two-thirds (5 members) vote of approval request the Town Council to seek the absent member’s resignation.²

Section 4 A Recording Secretary is not required to be a Commission member, and shall be appointed by a majority vote of Commission members (4 members) to serve at the pleasure of the Commission.³

Section 5 The Administrator for Land Use / Zoning Enforcement Officer shall attend all Commission meetings. The Town Engineer shall attend Commission meetings unless otherwise notified by the Chairman. A representative of the Town Health Agency shall attend when requested by the Chairman.⁴

**ARTICLE V**

**OFFICERS AND THEIR DUTIES**

Section 1 Officers of the Commission shall consist of a Chairman, a Vice Chairman, and a Secretary.

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¹ As Amended April 3, 1991 and May 19, 2004
² As Amended July 2, 1986 and May 19, 2004
³ As Amended July 2, 1986 and May 19, 2004
⁴ As Amended July 2, 1986 and May 19, 2004
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 officer. The Chairman shall have authority to appoint committees subject to Commission approval, set agendas of public hearings and meetings, call special meetings and generally perform other duties as prescribed in these By-Laws.1

Section 3 The Chairman shall be a Regular Commission member, not an Alternate member, and shall have the privilege of discussing all matters and voting thereon.2

Section 4 The Vice Chairman shall act at Commission meetings for the Chairman in the absence of the Chairman. The Vice Chairman shall be a Regular Commission member and not an Alternate member.3

Section 5 The Secretary shall be a Regular Commission member, not an Alternate member, have duties to review public hearing and meeting minutes prepared by the Recording Secretary, and cause their name to be placed on public hearing notices.4

Section 6 In the absence of the Secretary, the Chairman may appoint a Secretary pro-tem.5

Section 7 In the absence of the Chairman and Vice Chairman, the Commission member serving the longest on the Commission shall preside as Chairman at a duly called meeting and shall have the duties normally conferred by parliamentary usage of such officer at Commission meetings.6

Section 8 The Planning and Zoning Commission shall have all powers and duties set forth in the Connecticut General Statutes or Special Act(s) relating to the Town of Watertown with respect to Planning and Zoning matters.7

ARTICLE VI

ELECTION OF OFFICERS AND COMMISSION MEMBER VACANCIES

Section 1 An organizational meeting shall be held at the first meeting in February in even numbered years at which time officers shall be elected. Two-thirds (5 members) of the Commission must be present before an election of officers can take place.8

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1 As Amended May 19, 2004
2 As Amended May 19, 2004
3 As Amended May 19, 2004
4 As Amended July 2, 1986 and May 19, 2004
5 As Amended May 19, 2004
6 As Amended July 2, 1986 and May 19, 2004
7 As Amended April 3, 1991 and May 19, 2004
8 As Amended March 7, 1979 and May 19, 2004
Section 2 Nominations shall be made from the floor at the organizational meeting for officers specified in Section 1 Article V and elections shall follow immediately thereafter.\(^1\)

Section 3 Candidates for any officer position must be a Regular member of the Commission and receive at least four (4) favorable votes to be elected. Officers shall serve to the next first Commission meeting in February in even numbered years or until a successor takes office. Officer vacancies shall be filled by election as defined in this Article, and shall serve to the next first Commission meeting in February in even numbered years.\(^2\)

Section 4 Vacancies in Commission membership shall be filled by regular procedures in accordance with the Town of Watertown ordinance “Creating Membership and Terms of Office for the Planning and Zoning Commission”. Members may continue in office until their resignation or replacement by the Town Council, which ever first occurs.\(^3\)

Section 5 Resignations from the Commission shall be in writing and transmitted by the resigning member to the Town Clerk (as required by Connecticut General Statutes) and to the Planning and Zoning Commission Chairman.\(^4\)

ARTICLE VII

MEETINGS

Section 1 Regular meetings are held on the first Wednesday of each month at 6:30pm, or as determined by the schedule of Regular meetings annually approved by the Commission and reported to the Town Clerk. In the event of conflict with a holiday or other event, no fewer than four (4) favorable votes of the Commission, or the Chairman, may change the time, date, and place of any upcoming Regular meeting. The Chairman shall cause the Administrator for Land Use / Zoning Enforcement Officer to notify members of a meeting agenda not less than 48 hours in advance of a Regular meeting and not less than twenty-four hours in advance of a Special meeting.\(^5\)

Section 2 A majority of the Commission shall constitute a quorum (four members) and the number of votes necessary to transact business shall be the majority of the members of the Commission (four members), except to adjourn, and as provided in these

\(^{1}\) As Amended April 6, 1977
\(^{2}\) As Amended April 6, 1977; May 19, 2004 and March 5, 2008
\(^{3}\) As Amended May 19, 2004
\(^{4}\) As Amended May 19, 2004 and March 5, 2008
\(^{5}\) As Amended February 6, 1980; July 2, 1986; March 2, 1994; May 19, 2004; March 5, 2008 and February 3, 2010

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NOT AN OFFICIAL COPY
By-Laws in Article IV Section 3; Article VI Section 1; Article VIII Section 2; and Article XIII.¹

Section 3 All Commission meetings, including subcommittee meetings, shall be open to the public when in session and shall not be open to the public when in Executive session.²

Section 4 Unless otherwise specified in these By-Laws, ROBERT’S RULES OF ORDER, latest version, shall govern proceedings at Commission meetings.³

Section 5 The Commission shall not begin a new agenda item after 11:00PM, except to adjourn the meeting or vote to continue the meeting past 11:00PM.⁴

Section 6 Public participation when not at a public hearing is limited to five minutes per person and thirty minutes total.⁵

Section 7 Commission staff shall record meetings by a sound-recording device. The minutes of meetings shall be prepared in summary form. Meeting sound recordings and meeting minutes shall be a permanent record of the Commission, not destroyed at any time, stored in the office of the Commission, copies available for distribution with fees established by the Town, and a copy of the meeting minutes filed in the Town Clerk’s office as required by the Connecticut General Statutes. A transcription of a Commission meeting sound recording may only be prepared under the direction of the Chairman or the Commission.⁶

Section 8 Commissioners require adequate time to review an application and prepare questions. Documents for agenda items are to be at Commissioners’ homes by the Saturday prior to a meeting, and in extraordinary circumstances by the day prior to a meeting. The Commission discourages receipt of documents at a Commission meeting. In such circumstances, Commissioners do not have adequate time to review submittals and prepare questions.

If the Chairman determines it is not likely Commissioners will receive all regulation-required documents prior to the day of a meeting, the Chairman is encouraged (but is not required) to not place that item on a meeting agenda until the documents are received. Applicants shall have the privilege during public participation at a Regular meeting to request the Commission to amend a meeting agenda provided the applicant has: (1) paid planning and zoning fees in full (if fees are required); (2) has submitted all required documents to the Commission; and (3) claims a hardship resulting from this policy. The Commission may waive any of these provisions with no fewer than four (4) favorable

¹ As Amended April 3, 1991; May 19, 2004 and May 14, 2008
² As Amended March 5, 2008
³ As Amended July 2, 1986
⁴ As Amended May 19, 2004 and May 14, 2008
⁵ As Amended May 14, 2008
⁶ As Amended February 1, 2009
votes. The Commission is not required to amend a meeting agenda, and in accordance with Connecticut Freedom of Information laws, may not add an agenda item at a Special meeting.\(^1\)

\[\text{ARTICLE VIII}\]

\[\text{ORDER OF BUSINESS AT MEETINGS}\]

Section 1 The order of business at REGULAR meetings shall be:
1. Call Meeting to Order
2. Roll Call
3. Executive Session (optional) stating pending litigation, land acquisition, and/or a personnel matter
4. Public Participation
5. Communications and Bills
6. Meeting Minutes
7. Staff Report
8. Chairman’s Report
9. Old Business (list items)
10. New Business (list items)
11. Public Hearings (list items)
12. Articles on Agenda (list items)
13. Adjournment

The order of business at SPECIAL meetings shall be:
1. Call Meeting to Order
2. Roll Call
3. Executive Session (optional) stating pending litigation, land acquisition, and/or a personnel matter
4. Communications and Bills (optional)
5. Meeting Minutes (optional)
6. Staff Report (optional)
7. Chairman’s Report (optional)
8. Old Business (list items)
9. New Business (list items)
10. Public Hearings (list items)
11. Articles on Agenda (list items)
12. Adjournment\(^2\)

Section 2 A motion is passed with four (4) or more favorable votes unless additional votes are required as provided in these By-laws. Non-approval of a motion to deny and non-approval of a motion worded in the negative, is not approval of the subject matter.

\(^{1}\) As Amended February 3, 2010
\(^{2}\) As Amended May 4, 1988; May 19, 2004; February 1, 2006, March 5, 2008; and February 3, 2010
motion. In the event a motion to deny is not approved or there is not approval of a motion worded in the negative, a motion shall be worded to approve the subject matter and voted on by the Commission. The order of business on a posted meeting agenda may be amended with four (4) or more favorable votes. An agenda item may not be added at a Special meeting. Agenda items may be added at a Regular meeting with five (5) or more favorable votes.1

Section 3 At Regular meetings the Commission shall vote whether or not to accept an application for review and establish a public hearing. At Special meetings, the Commission may vote whether or not to accept an application for review and to establish a public hearing. The Commission may vote not to accept an application for review and to establish a public hearing if the Commission determines the applicant has not paid application fees and/or the application is not accompanied with all regulation-required submittals at the time the Commission votes whether or not to accept an application for review and to establish a public hearing. The Administrator for Land Use / Zoning Enforcement Officer shall request (not require) applicants to display their drawings and answer questions from the public in the hallway outside the Commission meeting room prior to a public hearing. Commission members shall not be present at these displays.2

Section 4 Once during a meeting following the Commission’s decision to accept an application for review, the Chairman shall read aloud: “While decisions are pending you may communicate with Commissioners on the merits of an application only when at a Commission meeting. Please speak with Commission staff when the Commission is not in session. Documents pertaining to an application shall be recorded for receipt in the Planning and Zoning office in sufficient time for staff to review the documents and prepare comments. State law requires the Commission to render a decision within a defined period. In the event there is not sufficient time for the Commission and the Commission staff to review an application and prepare comments, the Commission may deny the application. The Commission expects the applicant to submit all documents to the Commission office at least ten days prior to a public hearing; or if there is not a public hearing, at least ten days prior to when the application is on the Commission meeting agenda. More time may be needed for review of larger projects.”3

Section 5 The Chairman may change the order of the meeting agenda at the time of agenda publication, when in the Chairman’s opinion a meeting may be of such length that all items on the agenda may not be completed by 11:00PM.4

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1 As Amended May 19, 2004 and February 3, 2010
2 As Amended May 19, 2004; July 7, 2004; March 5, 2008; May 14, 2008 and February 3, 2010
3 As Amended May 14, 2008
4 As Amended May 14, 2008
ARTICLE IX

PUBLIC HEARINGS

Section 1 The Commission may hold public hearings in addition to required hearings when the Commission determines such hearings are in the public interest.

Section 2 All public hearings prescribed by law shall be held in accordance to the requirements set forth in C.G.S. Section 8-124 (Zoning) and C.G.S. Section 8-126 (Planning).

Section 3 The Recording Secretary shall take evidence. Evidence shall be recorded by a sound-recording device. Public hearing minutes shall be prepared in accordance with the provisions of Article VII Section 7. Proceedings of public hearings shall be incorporated into the Minutes Book of the Commission to be a permanent part of the record, and a copy of the meeting minutes shall be filed in the Town Clerk’s office.¹

Section 4 The Chairman of the Commission shall preside at public hearings or if absent the Vice Chairman shall preside. In the absence of these elected Commission officers, the longest serving member of the Commission shall preside.²

Section 5 The Secretary shall read the legal advertisements, dates, and newspapers in which advertisements appeared.³

Section 6 The Chairman shall describe the method of conduct of public hearings consistent with these By-Laws. The Secretary shall read aloud at the commencement of public hearings, “Welcome to this meeting. The Planning and Zoning Commission has established rules for the conduct of its public hearings. Copies of the rules are at the doorway to this room and are on the Town website. While decisions are pending, communications with Commission members on the merits of an application should only be at this public hearing. Speak with Commission staff at other times. The Chairman has authority to limit presentations when comments and questions are derogatory, repetitive, not on the subject matter of the public hearing, or are not helpful to the Commission understanding the application. As of now, there are no speaking time limits. However, the Commission may establish time limits for speaking at this hearing. It is usually not helpful to the Commission to hear statements more than once. Opinion polls are also usually not helpful and are not accurate. Land use decisions run with the land and effects current owners and future owners. It is not possible to identify and invite future landowners to participate in an opinion poll. These hearings are not a debate between the parties of interest. They are a forum to advise and assist the Commission with its decisions. When recognized by the Chairman, come to the podium at the front of the room. Speak directly into the microphone so that everyone at this meeting and the laptop

¹ As Amended May 19, 2004, March 5, 2008 and February 1, 2009
² As Amended May 19, 2004 and March 5, 2008
³ As Amended May 19, 2004
computer recording the meeting can hear you. Begin by stating your name and address. Direct your comments and questions through the Chairman, and not to any other person. Thank you for attending these public hearings.”

Section 7 The Chairman shall inform those attending the public hearing of the commencement of each hearing Phase.

Phase 1 **APPLICANT AND THEIR REPRESENTATIVES**
The Chairman shall recognize the applicant. The applicant shall introduce themselves and their representatives, and then shall briefly summarize the application followed by a full presentation. The public, Commission members, and staff shall not comment or ask questions during this Phase of the public hearing.

Phase 2 **COMMISSION MEMBERS AND STAFF**
Commission members and staff may ask questions to all except the public for the sole purpose of clarifying the presentation. Commission members and staff should make every effort to refrain from stating their opinions or positions during this Phase of the hearing. The applicant and their representatives may answer questions from Commission members and staff. The public may not ask questions or comment during this Phase of the public hearing.

Phase 3 **PUBLIC**
The Chairman shall call for statements from the public. Only the person from the public recognized by the Chairman to be at the hearing table may comment and ask questions. The Chairman may request a speaker to expeditiously conclude their comments. The Commission may establish time limits for speaking. All members of the public shall be given an opportunity to speak before anyone is recognized by the Chairman to speak again.

Phase 4 **APPLICANT AND THEIR REPRESENTATIVES**
The Chairman shall call for statements from the applicant and their representatives. The public, Commission members, and staff may not comment or ask questions during this Phase of the public hearing.

Phase 5 **COMMISSION MEMBERS AND STAFF**
The Chairman shall call for statements and questions from Commission members and staff. The public, applicant, and their representatives may not comment or ask questions. Commission members may ask questions directed to the applicant and their representatives, to staff, and to those who made public comment.

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1 Amended August 4, 2010
Phase 6  
PUBLIC
The Chairman shall call for **final statements** from the public. Statements are expected to be less than five (5) minutes in length during this Phase of the public hearing, but are not limited to five (5) minutes. The Commission may establish speaking time limits. Commission members, the staff, the applicant and their representatives may answer questions from the public during this Phase of the public hearing.

Phase 7  
APPLICANT AND THEIR REPRESENTATIVES
The Chairman shall call for **final statements** from the applicant and their representatives.

When a public hearing is not initiated by an applicant, reference to “applicant and their representatives” shall be substituted by “spokesman approved by the Commission”.1

Section 8  All questions and comments must be directed through the Chairman after being properly recognized by the Chairman.

Section 9  Persons recognized by the Chairman to address the Commission shall approach the hearing table in order to facilitate the proper recording of their comments and questions, and shall begin by giving their name and address for the record.2

Section 10  The Chairman shall assure an orderly hearing and shall take the necessary steps to maintain order and decorum. In the event the hearing becomes unruly and unmanageable the Chairman has authority to act in accordance with Section 1-232 of the Connecticut General Statutes to restore order by clearing the room, except for the media, and then readmitting those not responsible for the disturbance. The Commission may continue the public hearing to another time or place.3

Section 11  The Chairman may limit a presentation when comments or questions are derogatory, repetitive, not on the subject matter of the public hearing, or not helpful to the Commission understanding an application.4

**ARTICLE X**

**ADMINISTRATOR FOR LAND USE/ZONING ENFORCEMENT OFFICER**

Section 1  In accordance with Town of Watertown Code of Ordinances Section 36-2 as revised July 17, 2000:

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1 As Amended May 19, 2004
2 As Amended May 19, 2004
3 As Amended July 2, 1986 and May 19, 2004
4 As Amended May 14, 2008
a. The Planning and Zoning Commission shall appoint and remove the Administrator for Land Use / Zoning Enforcement Officer and Assistant Administrator for Land Use / Zoning Enforcement Officer in accordance with the General Statutes. The Planning and Zoning Commission will seek the advice of the Town Manager in connection with such appointments and/or removals.

b. The duties of the Zoning Enforcement Office and Assistant Administrator for Land Use / Zoning Enforcement Officer shall be prescribe from time to time by the Planning and Zoning Commission as set forth in the Zoning Regulations as same may be enacted and may be amended by the Planning and Zoning Commission.

c. The work schedule of the Administrator for Land Use / Zoning Enforcement Officer and Assistant Zoning Enforcement Officer shall be established by the Town Manager taking into account the schedule for Land Use Commission meetings and activities and with the concurrence of the Planning and Zoning Commission.

d. Personnel decisions including performance evaluation, discipline, recommended salary and similar matters shall be administered by the Town Manager only with the concurrence of the Planning and Zoning Commission.

e. In all other respects, the position of Administrator for Land Use / Zoning Enforcement Officer shall be under the direct administration and control of the Town Manager pursuant to the Town Charter.¹

Section 2 The Administrator for Land Use / Zoning Enforcement Officer shall carry out duties as directed by the Chairman or the Commission.²

Section 3 The Administrator for Land Use / Zoning Enforcement Officer shall:

1. Prepare agenda of Regular and Special meetings under the direction of the Chairman
2. Provide agenda of meetings to Commission members
3. Arrange for proper and legal notice of meetings and hearings
4. Arrange for proper advertisements of Commission decisions according to Connecticut General Statutes
5. Attend to Commission correspondence and communications
6. cause meeting attendance, motions, and votes (Motion Sheets) to be filed with the Town Clerk within forty-eight (48) hours after meetings
7. Cause meeting and public hearing minutes to be in the next Regular Commission meeting packet. When meeting minutes are not available, copies of Motion Sheets filed with the Town Clerk shall be in the next Regular meeting packet. Minutes shall be distributed in electronic form to Commission members upon

¹ As Amended May 19, 2004
² As Amended July 2, 1986 and May 19, 2004
request. Cause Motion Sheets to be on the Town web site within forty-eight (48) hours after meetings. Cause Meeting minutes to be on the Town web site when approved by the Commission. Cause Meeting minutes to replace Motion Sheets on the Town web site.\(^1\)

8. Cause the calendar year schedule of Regular meetings approved by the Commission to be filed with the Town Clerk by each January 31st.


10. Prepare a written summary of applications approved by the Commission that have not had escrow monies fully refunded. The report shall be updated and included in each Regular meeting packet. The form of the report shall show the name of each project, date of Commission approval, and summary of site inspections and complaints.

11. Cause to have available near the entrance to Commission meeting rooms, copies of meeting agenda and public hearing procedures.

12. Cause ALL application documents to be logged and date stamped in the office of Planning and Zoning upon receipt. The original copy of the “Receipt of Documents” shall be placed in the Commission’s official application file and a copy of the receipt shall be given to the person filing documents with the Commission. A record shall be maintained in the application file of the location of documents on loan from the application file.\(^2\)

13. Prepare for Town Attorney review a “Site Plan Development Agreement” or a “Subdivision Development Agreement” in the event there is a Performance Bond or public improvement required by a Site Plan approval or a Subdivision approval. The Administrator shall use the applicable standard agreement in the appendices of the Zoning Regulations or the Subdivision Regulations.”\(^3\)

14. Inform the Commission in writing and in the next regular meeting packet of discussions the Planning and Zoning staff had with persons who presented written materials for staff comment of a site improvement that may be subject to Commission approval.\(^4\)

15. Cause a copy of letters of Commission decisions to be in the next regular meeting packet.\(^5\)

**ARTICLE XI**

**MISCELLANEOUS**

Section 1 Commission members may be appointed by the Chairman as needed to the following standing committees, subject to a vote of approval by the Commission. The duties of each committee shall be determined by the Commission.

\(^1\) As Amended May 19, 2004 and May 14, 2008
\(^2\) As Amended May 14, 2008
\(^3\) As Amended August 4, 2010
\(^4\) As Amended January 19, 2011
\(^5\) As Amended January 19, 2011
a. Budget and Administrative Committee  
b. Liaison Committee to Town agencies

Section 2 Special committees may be appointed by the Chairman for the purposes and terms the Commission approves.

Section 3 The Commission shall appoint Commission and Planning and Zoning Department attorneys who shall work under the direction of the Commission for a term not to exceed the last day of February in even numbered years. The Commission shall determine compensation and the process for appointing attorneys. Hourly rates of Commission and Planning and Zoning Department attorney compensation shall not exceed hourly compensations rates of the Watertown Town Attorney, except with Town Council approval. The Commission shall determine attorney compensation without Town Council approval when the opposing party is the Town of Watertown, its agencies, or officials.

Section 4 Planning and Zoning Department staff shall only use attorneys appointed by the Commission; and then only for (1) document review of post-Commission application approvals, and (2) code enforcement matters after approval by the Chairman or the Commission to use an attorney. The Chairman or the Commission shall determine on each matter all other uses of attorneys.

ARTICLE XII

TRAINING

Section 1 All Commission members are encouraged to attend training related to Planning and Zoning issues.

Section 2 Commission staff and Commission members attending training are encouraged to make a presentation of their training to the Commission at the next Regular meeting.
ARTICLE XIII

AMENDMENTS

These By-Laws may be amended by a two-thirds (5 members) vote of approval (which may include voting Alternate members) only after proposed changes have been read and discussed at a previous Regular meeting; except that the By-Laws may be amended at any Regular meeting by a unanimous vote of approval by all Regular members (7 members), not including Alternate members.¹

¹ As Amended May 19, 2004 and March 5, 2008