



# **BYLAWS:** **THE WOODSTOCK** **ZONING BOARD OF APPEALS**

Adopted on January 16, 1992 and revised on 07/22/08, 04/27/10, 01/28/14, 05/27/14, 03/14/17, 02/26/24, amended 03/18/24

## **ARTICLE I. PURPOSE AND AUTHORIZATION**

The objectives and purposes of the Woodstock Zoning Board of Appeals of Woodstock are those set forth in Chapter 124 – Zoning of the Connecticut General Statutes, 1958 Revision, as amended, and those powers and duties delegated to the Woodstock Board of Appeals by the aforementioned Statutes by Ordinance, adopted at Town Meeting on June 16, 1964, and July 8, as subsequently amended, in accordance with the above enabling law.

## **ARTICLE II. NAME**

The Commission shall be known as the Woodstock Zoning “Board” of Appeals.

## **ARTICLE III. OFFICE OF BOARD**

The office of the Woodstock Zoning Board of Appeals shall be at the Woodstock Town Hall where all Board records will be kept. Copies of all official documents will be filed or recorded in the office of the Town Clerk.

## **ARTICLE IV. MEMBERSHIP**

**SECTION 1.** The membership and terms of office shall be as specified in the above stated Ordinance, as amended, establishing the Board and the aforementioned General Statutes.

**SECTION 2.** Vacancies on the Board shall be filled from the number of alternate members of the Board by a majority vote of the remaining board members. The Board of Selectmen shall fill, by appointment, any vacancies occurring among the alternates for the unexpired portion of such alternate’s term. All vacancies shall be filled within 30 days from the date of their occurrence.

**SECTION 3.** Resignations from the Board shall be in written form, shall include an effective date and be transmitted to the Chair, who will then forward the same to the Town Clerk

## **ARTICLE V. REQUIRED TRAINING**

Training, per CGS Section 8-4c, as may subsequently be modified, shall be offered to ZBA Members on an annual basis, and shall be required on a frequency and amount per the State Statutes; each Member’s training record shall be retained in the town hall.



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### **ARTICLE VI. OFFICERS AND THEIR DUTIES**

**SECTION 1.** The officers of the Board shall consist of a Chair, a Vice-Chair and a Clerk.

**SECTION 2.** The Chair shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall have the authority to certify expenditures of funds up to \$100.00 without prior Board approval.

**SECTION 3.** The Chair shall have the privilege of discussing all matters before the Board and of voting thereon.

**SECTION 4.** The Vice-Chair shall act for the Chair in that person's absence and have the authority to perform the duties prescribed for that office.

**SECTION 5.** The Clerk shall oversee the minutes and records of each regular and special meeting of the Board, confirm notice of all meetings to Board members and such other duties. The Clerk of the Board shall issue a call for a special meeting either at the direction of the chair of the board or upon a written request of any two members thereof.

### **ARTICLE VII. ELECTION OF OFFICERS**

**SECTION 1.** An Annual Organizational meeting shall be held at the January Zoning Board of Appeals meeting, at which time officers will be elected, the Bylaws reviewed and other administrative business handled. All will be included as part of the minutes of the Annual meeting.

**SECTION 2.** Nominations shall be made from the floor at the Annual Organizational meeting and elections of the officers specified in Section 1 of Article VI shall follow immediately thereafter.

**SECTION 3.** A candidate receiving a majority vote at which a quorum of members is present shall be declared elected and shall serve for one year or until the successor shall take office.

### **ARTICLE VIII. MEETINGS**

**SECTION 1.** Regular meetings will be held on the third Monday of each month in the Town Hall. Meetings will convene at 6:00 PM. The Clerk shall oversee notification of the membership of all meetings not less than 24 hours in advance of such meeting. Annually the members shall develop a proposed budget to be sent to the Finance Department, per their timeline. In November the Board



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shall review and the schedule of meeting dates for the subsequent year. In the event of conflict with holidays or other events, a majority may change the customary date of said meeting. The schedule shall be submitted to the Town Clerk during the month of December.

**SECTION 2.** A majority of the total ZBA membership shall constitute a quorum, and the number of votes necessary to transact general business shall be a majority of the Board. A quorum is required to conduct business. Specifically, a quorum shall consist of any combination of three regular members and alternates. A minimum of four votes in the affirmative is required for any Board decision.

**SECTION 3.** Alternate members may attend all meetings and executive sessions of the Zoning Board of Appeals. If a regular member is absent or is disqualified, the Chair of the Board shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If an Alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. Alternate members shall, when seated as herein provided, have all the powers and duties set forth in the General Statutes or any special act relating to the Board and its members.

**SECTION 4.** All Board meetings shall be open to the public except when in Executive Session. An Executive Session may convene if two-thirds of the agency members in attendance at a public meeting vote to close it after stating one of the three permitted reasons per FOIA for an Executive Session. Any actions by the Board must be taken after the regular meeting reconvenes.

**SECTION 5.** Unless otherwise specified, Roberts' Rules of Order shall govern the proceedings at the meetings of this Board.

**SECTION 6.** A Special Meeting may be called by the Chair and must be posted in the Town Clerk's Office 24 hours prior to a meeting, with members duly notified.

### **ARTICLE IX. DISQUALIFICATION**

No member of this Board shall appear for or represent any person, firm, corporation or other entity in any matter pending before the Board. No member of the Board shall participate in the hearing or decision of the Board of which he is a member regarding any matter in which he is directly or indirectly interested in on a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the Board and the remaining members of the Board, unless otherwise provided by special act, shall choose an alternate according to Chapter 124, Section 8-11 to act as a member of such Board in the hearing and determination of the particular matter or matters in which the disqualification arose. When disqualification is questionable, the Chair shall make the final decision.



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**ARTICLE X. ORDER OF BUSINESS**

**SECTION 1.** Unless otherwise determined by the Board, the order of business at regular meetings shall be:

- I. Call to Order
- II. Roll call
- III. Designation of alternates if needed
- IV. Public hearing
- V. Unfinished Business
- VI. Monthly meeting
  - a. Review of minutes of previous meeting
  - b. Correspondence and bills
  - c. Staff report and Administrative matters
- VII. New Business
- VIII. Citizen's Comments
- IX. Members' Comments
- X. 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.

**SECTION 3.** No new business submitted for action by the Board shall be acted upon unless it is submitted 15 days prior to a regular meeting date. Per state statute, any application submitted a minimum of 24 hours prior to a regularly scheduled ZBA meeting may be deemed "received" at the meeting and may be scheduled for a later hearing.



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### **ARTICLE XI. HEARINGS**

**SECTION 1.** All public hearings prescribed by law shall be held in accordance to the requirements set forth for such hearings in CGS Chapter 126 (Planning) and Chapter 124 (Zoning) Section 8-7d.

**SECTION 2.** A competent stenographer shall take the evidence, or the evidence shall be recorded by a sound-recording device, at each hearing before the Board in which the right to appeal lies to the Superior Court.

**SECTION 3.** The Chair of the Board shall preside at the public hearing. In the event of the absence of the Chair, the Vice Chair of the Board shall preside. In that person's absence, a duly appointed Board member shall act as presiding officer.

**SECTION 4.** The Chair of the Board shall read the legal advertisement and note the dates and newspapers in which the advertisement appeared.

**SECTION 5.** 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 Board shall have the privilege of speaking first. The Chair shall describe the method of conduct of the hearing.

**SECTION 6.** The Chair shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, with the discretion of the Board prevailing. Whichever the case may be, each group shall make its presentation in succession, without allowing the intermixture of comments pro and con.

**SECTION 7.** It shall be made clear to the hearing that all questions and comments must be directed through the Chair, and only after the citizen has been properly recognized by the presiding officer and the speaker has stated both name and address.

**SECTION 8.** All persons, after being recognized, shall approach the hearing table in order to facilitate proper recording of comments.

**SECTION 9.** 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 presiding officer shall reserve the right to adjourn the hearing in the event the discussion becomes unruly and unmanageable. If the



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meeting space is inadequate for the number of people present, the Chair per CGS Sec. 1-228 may adjourn any regular or special meeting to a time and place specified in the order of adjournment. A copy of the order or notice of adjournment and relocation shall be conspicuously posted on or near the door.

**SECTION 10.** The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular meeting of the Zoning Board of Appeals. The show of hands by those persons present shall not be allowed on any general question raised at the public hearing.

### **ARTICLE XII. EMPLOYEES**

**SECTION 1.** Within the limits of the funds available for its use, the Board may employ such staff personnel and/or consultants as it sees fit to aid the Board in its work. Appointments shall be made by a majority vote of the membership in attendance. The Chair may be authorized to sign contracts for employing personnel and contracting for planning services as might be approved by the Board.

### **ARTICLE XIII. PUBLIC RELATIONS**

**SECTION 1.** The Chair or a duly appointed Board member or staff personnel shall act as public relations or publicity liaison for the Board, whose duties include the preparation of all news releases to be distributed to the communications media. All informational releases shall reflect the thinking of the majority of the Board.

**SECTION 2.** In the matter of the press, radio and television, the Board shall comply with CGS Public Records- Chapter 3, Section 1-19, 1-20, 1-21 -- 1958 Revision, as amended.

### **ARTICLE IX. AMENDMENTS**

These bylaws may be amended by a two-thirds vote of the entire voting membership of the Board, only after the proposed change has been read and discussed at a 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 Board.

### **REFERENCE:**

The Town of Woodstock *Zoning Ordinance*, 2000 (see Town Clerk)