



# PLANNING COMMISSION Rules of Procedure

## A. AUTHORITY.

The Planning Commission of the Town of Westford hereby adopts the following Rules of Procedure (hereinafter referred to as these Rules) in accordance with **1 V.S.A. § 312 (e), (f), and (h)**.

## B. POLICY.

These Rules are established to promote consistent and fair treatment of interested persons and participants, to ensure orderly and efficient public proceedings, and to uphold compliance with state and federal law. These Rules also safeguard against any Commissioner gaining personal or financial advantage through their work for the Commission, thereby preserving public trust in municipal government.

## C. APPLICATION

The Rules of Procedure shall apply to the Planning Commission of the Town of Westford, which is referred to below as “the Commission.” These Rules shall govern all regular, special, and emergency meetings of the Commission.

## D. DEFINITIONS

1. “**Commission**” means the Planning Commission.
2. “**Commissioner**” means a regular member of the Planning Commission.
3. “**Conflict of interest**” shall be as defined in the Municipal Code of Ethics, **24 V.S.A. § 1991(5)**.
4. “**Executive session**” refers to a non-public session held for one of the legally permitted reasons outlined in **1 V.S.A. § 313**. No binding action may be taken during an executive session.
5. “**Official act or action**” refers to any legislative or administrative act performed by the Commission.
6. “**Public deliberations**” refers to the process of weighing, examining, and discussing, in a public proceeding, the reasons for and against an act or decision. This term expressly excludes the taking of evidence and the arguments by parties.
7. “**Recuse**” means to voluntarily remove oneself from a particular Commission proceeding due to a real or perceived conflict of interest.

## E. ORGANIZATION.

1. The Planning Commission shall consist of five (5) regular members. Following new appointments, or as needed throughout the year, the Planning Commission shall hold an organizational meeting to elect by majority vote a Chair, Vice Chair, and Clerk.
2. The Selectboard may appoint the Chittenden County Regional Planning Commission – Westford Representative as a non-voting ex officio member of the Planning Commission. This member shall not hold any authority, nor count towards quorum requirements.
3. **Chair Responsibilities:** The Chair shall preside over all meetings, hearings, and deliberations, and decide all points of order or procedure. The Chair may request the attendance of witnesses and the submission of relevant material for matters under consideration.
4. **Vice Chair and Clerk Responsibilities:** The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request. The Clerk shall assume such duties if both the Chair and the Vice Chair are absent, or at their request.
5. **Quorum Requirements:** A majority of the total membership of the Commission shall constitute a quorum. Without a quorum present, no meeting may take place.
6. No individual Commissioner shall have authority to represent or act on behalf of the Commission unless authorized by majority vote at a duly noticed meeting. Such delegation of authority must be recorded in the meeting minutes.
7. Motions require a second. The Chair may make motions and vote on all matters before the Commission. A motion passes only with majority vote of the total Commission membership.
8. The Planning Commission shall appoint members to any committee of the Commission. An established committee may recommend the appointment of new members.
9. There is no limit to the number of times a member of the Commission may speak to a question. A member may speak or make a motion without being recognized by the Chair. Motions to close or limit debate will be considered with due regard for fair and open discussion.
10. Any member of the Commission may request a roll call vote. Pursuant to **1 V.S.A. § 312(a)(2)**, a roll call vote is required when one or more members attend a meeting electronically, except when the vote is unanimous.

11. Meetings may be recessed to a time and place certain. Reasonable breaks for personal privilege (e.g., bathroom breaks, regaining composure, etc.) shall be accommodated for members of the Commission and supporting staff.

12. These Rules may be amended by majority vote of the Commission. The Rules must be readopted annually within one month of a new member joining the Commission.

## **F. AGENDAS**

1. Each regular and special meeting shall have an agenda with time allotted for each item of business. Those who wish to be added to the agenda shall contact the Town Planner or Planning Coordinator to request inclusion on the agenda. The Chair shall determine the final content and order of the agenda. Agenda timelines are intended as guidance only and do not necessarily restrict agenda item discussion times.

2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, the agenda shall be posted:

- a. In or near the municipal office,
- b. At the library and post office, and
- c. On the Town's website (<https://westfordvt.us/>).

The agenda must also be made available to anyone who requests it in advance.

3. All business shall generally follow the posted agenda, unless changes are made as the first act of business at the meeting. Additions to or deletions from the agenda may only be made at this point. Other adjustments - such as changing the order of business or postponing actions - may be made by majority vote of the Commission.

4. Each meeting shall include a five-minute period near the beginning of the agenda for open public comment for items not on the agenda. The Chair may extend or reduce this period of time as appropriate. Members of the public may also speak at other times throughout the meeting but only when recognized by the Chair. Individual comments shall be limited to two minutes unless the Commission votes to adjust the time limit. The Commission shall apply consistent time limits to all speakers.

## **G. PUBLIC MEETINGS**

1. The Planning Commission of The Town of Westford shall conduct its meetings in accordance with the Vermont Open Meeting Law, **1 V.S.A. §§ 310-314**. Planning Commission meetings must be open to the public at all times, except as provided in **1 V.S.A. § 313**.

2. **Regular Meetings:** Regular meetings shall be held on the third (3<sup>rd</sup>) Monday of the month at 6:30 p.m. with additional meetings scheduled as necessary – typically the first (1<sup>st</sup>) Monday of the month. Meetings shall be held at the Westford Town Offices and via Zoom.

- a. **Remote Participation:** A Commissioner may attend a regular, special, or emergency meeting electronically or by other means without being physically present, provided that the member identifies themselves at the start of the meeting and is able to hear and be heard throughout the meeting.
- b. If a quorum or more of the Commission is attending remotely, the meeting agenda must designate at least one physical location where the public can attend and participate. At least one Commissioner, staff member, or designated representative must be physically present at that location.
- c. Whenever possible, participants should be muted upon entry or asked to mute their microphones unless invited to speak. All participants must be recognized by the Chair before speaking.
- d. All non-unanimous votes must be conducted by roll call.
- e. Participants should be advised that meetings will be recorded.

3. **Special Meetings:** Special meetings shall be publicly announced at least 24 hours in advance. Notice shall be given to all Commissioners unless previously waived, and to an editor, publisher, or news director of a media outlet. Notice shall also be posted at the municipal clerk’s office, the library, the post office, and the Town’s website (<https://westfordvt.us/>).

4. **Emergency Meetings:** Emergency meetings may be held without public announcement, posted notice, or 24-hour notice to members. Some public notice shall be provided as soon as possible before any such meeting. Emergency meetings are only permitted to address unforeseen circumstances requiring immediate attention. The Commission may attend an emergency meeting by electronic or other means without being physically present at or staffing a designated meeting location.

5. **Executive Session:** The Commission may enter executive session as part of any duly warned meeting if the topic to be discussed falls within the exemptions stated in **1 V.S.A. §313**.

- a. A motion must be made during the open portion of a meeting and must indicate the nature of the business to be discussed. The motion requires a majority vote to pass.
- b. Attendance in executive session is limited to the members of the Planning Commission and, at its discretion, staff, legal counsel, and individuals who are subjects of the discussion or whose information is necessary.

6. **Minutes and Records:**

- a. The Minute Clerk shall take minutes for every Planning Commission meeting.
- b. Minutes must give a “true indication of the business of the meeting,” which may require supplementing the following statutorily required elements: members present; active participants; motions, proposals, and resolutions made, offered, and considered; the result of any votes taken; and a record of individual votes if a roll call is taken.

- c. Draft minutes must be posted to the Town website (<http://westfordvt.us>) no later than five calendar days after the meeting.
- d. Commissioners are responsible for reviewing meeting minutes and other official records, and for amending and ratifying them as appropriate.

## H. PUBLIC PARTICIPATION

### 1. **General Principles:**

- a. With the exception of Executive Session, all meetings of the Commission are meetings **in public**, they are not meetings **of the public**.
- b. Members of the public shall be afforded reasonable opportunity to express topical opinions or provide related testimony on matters considered by the Commission, provided that order is maintained in accordance with these Rules.

### 2. **Public Comment Period:**

- a. At the conclusion of each agenda item, but before any action is taken by the Commission, there may be 5 minutes afforded for open public comment.
- b. By majority vote, the Commission may increase, decrease, or cease the time for open public comment and its place on the agenda.
- c. No member of the public may speak longer than two minutes without the consent of the Chair. Time limits shall be applied consistently to all speakers.
- d. Speakers will be taken on a first-come, first-served basis, though the Chair may suspend this rule to protect against repetitive or irrelevant comments and to ensure that varied and opposing viewpoints are heard.

3. **Addressing the Board:** Comments by members of the public or the Commission must be addressed to the Commission as a whole, not to any individual members or the public.

4. **Recognition by the Chair:** Members of the public must be acknowledged by the Chair before speaking.

5. **Speaking Opportunities:** Individuals who have already spoken on a topic may not be recognized again until others have had the opportunity to comment.

6. **Order and Decorum:** All persons present shall maintain order and decorum.

- a. Neither Commissioners nor the members of the public shall disrupt the meeting, disturb the proceedings, or interrupt speakers.
- b. Personal, impertinent, threatening, or profane remarks are prohibited.
- c. Speakers must refrain from repetitious speech or speech that is irrelevant to the business of the Commission.

7. **Enforcement of Order:** Commissioners and members of the public must follow directives of the Chair or other presiding member. To restore order, the Chair may take the following steps (in escalating order), but may bypass any steps as deemed necessary:
- a. **Call to Order:** Remind those present of the applicable rules of procedure.
  - b. **Declare a Recess:** Temporarily pause the meeting.
  - c. **Table the Issue:** Postpone discussion on the matter.
  - d. **Adjourn the meeting:** End the meeting and set a future time and date to convene.
  - e. **Request Law Enforcement Assistance:** Contact the Vermont State Police or Chittenden County Sheriff to remove disorderly individuals. Before their removal, said individuals shall be given verbal advanced notice of the intent to remove them from the meeting and an opportunity to cease disorderly behavior before removal.

## J. PUBLIC HEARINGS

1. Public hearings shall be conducted as legislative proceedings pursuant to **1 V.S.A. § 310(5)(B)**. Hearings shall be publicly noticed in accordance with **24 V.S.A. §§ 4385, 4442, or 4444**, as amended. Hearings shall not exceed three hours in length unless approved by a majority of members present.
2. Public comment may be offered during the hearing with the permission of the Chair. Such comment, if recognized, shall be limited to three minutes per speaker, unless by majority vote the Commission sets a different time limit. The Commission shall apply consistent time limits to all individuals recognized to speak.
3. The Chair shall conduct the hearing as follows:
  - a. **Opening the Hearing:** Open the hearing by reading the official warning of the hearing.
  - b. **Review of Procedures:** Outline the order of events, remind all present that the proceeding will be conducted in an orderly manner, and make copies of these Rules available.
  - c. **Conflict of Interest:** Request disclosure of conflicts of interest.
  - d. **Submission of Written Information:** Accept written information presented to the Commission.
  - e. **Commission Input:** Allow Commission to respond.
  - f. **Public Input:** Invite questions or comments from members of the public.
  - g. **Final Comments:** Allow final comments or questions from Commissioners.
  - h. **Closing the Hearing:** Upon motion and majority approval, the Chair shall either adjourn the hearing to a date and time certain or close the proceedings by announcing that this is the final public hearing on the matter.
  - i. **Deliberation:** The Commission shall then conduct public deliberations.

## K. SERVICE LIST

The Minute Clerk shall compile a list of all individuals who participated in the meeting. The list shall include those who participated orally and those who submitted written comments.

**L. DECISIONS**

- 1. **Deliberation:** The Commission shall make its decisions by public deliberation. Commissioners who have not heard all testimony and reviewed all evidence shall not participate in the decision-making process. Absent Commissioners may participate if they have reviewed the recording of the proceedings and all submitted evidence.
  
- 2. **Voting Procedures:**
  - a. **Motions:** All motions shall be made in the affirmative.
  - b. **Voting Rights:** The Chair has the same voting rights as other members and may make motions.
  - c. **Motions on the Floor:** A second is required for a motion to be considered.
  - d. **Voting Obligation:** All members present are expected to vote unless they have recused themselves.
  - e. **Abstentions:** Abstentions are strongly discouraged and shall not count toward either the majority or the minority.
  - f. **Approval Requirement:** A motion must receive a majority vote of the **entire Commission**, regardless of how many members are present (**1 V.S.A. § 172**).

**M. REMOVAL**

Upon majority vote, the Commission may request that the Selectboard remove a Commissioner from the Planning Commission. Commissioners may be removed for cause by the Selectboard upon written charges and after public hearing **24 V.S.A. § 4460(c)**. Planning Commissioners may be removed at any time by unanimous vote of the Selectboard **24 V.S.A. § 4323(a)**.

**N. ATTENDANCE**

If any Commissioner misses **three consecutive meetings**, the Commission may recommend that the Selectboard replace that member.

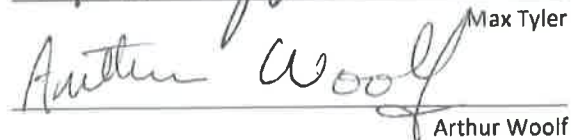
Dated at Westford, Vermont this 21<sup>st</sup> day of May, 2026.

  
Benjamin Bornstein

  
William Dunkley

  
Kirsten Tyler

  
Max Tyler

  
Arthur Woolf