Charlotte Planning Commission
Rules of Procedure

As adopted by the Commission April 6, 2023 & amended June 5, 2025

Section I: Authority.

The Planning Commission [PC] of the Town of Charlotte hereby adopts the following rules of procedure (hereinafter referred to as these Rules) in accordance with 24 V.S.A. § 4461(a) and 1 V.S.A. §§ 312(e), (f), and (h).

Section II: Policy.

These Rules are adopted to ensure consistent and fair treatment of Charlotte residents, property owners, interested persons, and participants, orderly and efficient public proceedings, and compliance with state and federal law.

Section III: Decorum.

These guidelines for decorum shall be briefly presented at the beginning of each Planning Commission meeting:

A. Treat all participants with respect; no personal attacks or ridicule. Use civil language; rudeness is not acceptable (combined with other bullet)
B. One person speaks at a time
C. No interrupting or side conversations
D. Critique ideas and proposals, not individuals
E. Stay focused on the agenda and the issue at hand
F. Come prepared, having reviewed materials in advance
G. The Chair (or presiding officer) manages the speaking order and may pause discussion when decorum breaks down
H. Assume and expect good intentions from Commissioners
I. Allow space for everyone to share and express themselves
J. Respect the start and end times of the meeting, unless explicitly agreed upon by the commission
K. Regulate public comment to ensure agenda stays on time and on track
L. Respect and uphold commission decisions

Section ~~III~~IV: Definitions.

A. "Commission" or as abbreviated "PC" means the Planning Commission.

B. "Commission member" means a regular member of the PC.

C. "Chair" means chairperson of the PC.

D. "Conflict of Interest" shall be as defined by the town's "Conflict of Interest" policy, as adopted by the Charlotte Selectboard in 2011.

E. "Executive session" means a session of the Commission from which the public is excluded by a public vote of members, as authorized by 1 V.S.A. § 313. In addition to other requirements, such private session may only be held for one of the reasons permitted by the statute. No binding action may be taken in executive session.

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F. “Official act or action” means any legislative, administrative or quasi-judicial act performed by any PC member.

G. “Recuse” means to remove oneself from a particular Commission proceeding.

H. “Vice Chair” means the vice chairperson of the PC.

Section ~~I~~V: Regular Officers.

The PC shall consist of seven regular members. After Town Meeting and appointments are made by the Selectboard, but prior to May 1, or at other times throughout the year as needed, the PC shall hold an organizational meeting and elect by majority vote, a Chair and a Vice Chair.

A. The Chair shall preside at all meetings and hearings, decide all points of order or procedure, enforce these rules pursuant to 1 V.S.A. § 312(h), and appoint members to any committee of the Commission. The Chair may administer oaths and may request the attendance of witnesses and the production of material germane to any issue under consideration.

B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair’s request. In the absence of both the Chair and the Vice Chair, the quorum of members shall appoint an acting Chair for the meeting.

C. All members will review the minutes and other official records of PC meetings and actions and correct and ratify these when appropriate and necessary.

D. A recording secretary shall take minutes of all meetings.

Section V~~I~~: Regular and Special Meetings.

Regular meetings to conduct business of the PC shall be held in the Town Hall at 7:00 PM on the first and third Thursday of the month. Site visits may be scheduled at the convenience of the members. The Chair may cancel meetings at any time.

A. Special meetings may be called by the Chair, provided at least 24 hours notice is given to each member, and the time and place of each special meeting is publicly posted at least 24 hours before the meeting.

B. A quorum shall consist of a majority of the members of the entire Commission.

C. Members may participate by telephone or virtual meeting platform, as long as all members can hear everything that is occurring at the meeting, and everyone present at the meeting can hear the Commission member(s).

D. All meetings shall be open to the public unless the Commission, by proper motion and vote, has entered an executive session. The Commission may convene a closed executive session upon a majority vote. The Commission may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. § 313, and only after a majority vote to enter executive session.

E. There shall be an agenda for each meeting, generally structured as follows:

1. Public comment.

2. Public hearings on proposed amendments to the Land Use Regulations or Town Plan, or specific planning projects.
3. Deliberations (in open or closed executive session), if any.
4. Other business – i.e., approval of draft meeting minutes.

F. All business shall be conducted in the same order as it appears on the agenda, except that by majority consent, the Chair may alter the order of items to be considered and/or the time allotted.

Section VII: Member Attendance:

The Planning Commission of the Town of Charlotte (PC) plays a critical role in setting land use policy for the Town of Charlotte. Policy changes frequently take place over the course of several meetings during which time PC members work together to improve and revise regulatory language. Regular attendance is critical to the success of the PC and to respect the efforts of the other Commissioners. Therefore, the PC is adopting the following attendance policy:

1. PC Commissioners are expected to attend a minimum 80% of the regularly scheduled meetings; e.g. 2 meetings/month = 24 meetings/year. 80% of 24 = 19.2 meetings.

2. In the event a PC Commissioner is unable to maintain an 80% attendance record (measured from May to April), the Vice Chair of the PC will inform that member of the status of their attendance record and recommend that the PC member resign their commission seat.

3. A PC Commissioner may request an extended leave of absence from the PC due to extenuating circumstances where this extended leave will not be counted against their attendance record. Extended leave must be approved by majority vote of PC Commissioners and include specific start and end dates. The dates can be modified or extended with approval by majority vote of PC Commissioners. In the event the other Commissioners do not agree to approve the extended leave, the absences will count against the Commissioner's attendance record.

4. While attending a meeting via Zoom is permissible when a member is unavailable to attend in person, it is not acceptable as a regular substitute for in-person participation. Members attending via Zoom should be present and participate for the entire meeting.

Section VIII: Public Hearings and Order of Business.

Commission Hearings shall be publicly warned in accordance with 24 V.S.A. §§ 4464(a)(1), (2), as amended. Hearings shall not exceed three hours in length unless approved by a majority vote of members present. The Commission shall apply consistent time limits to all persons recognized to speak.

The Chair shall conduct the hearing generally in the following manner, unless a modified procedure is approved by majority vote of the Commission:

A. Open the hearing by referencing agenda item.

B. Review the PC's rules for the hearing, and remind all present that the proceeding will be conducted in an orderly manner. Ask participants to sign in and/or identify themselves for the record if participating in the meeting via online platform or by telephone.

C. Request Commission members disclose any conflicts of interest.

D. Accept written information presented to the Commission.

E. Invite the public to present comments, feedback and questions regarding the subject of the hearing.

F. Upon motion and majority approval, the Chair shall either adjourn the hearing to a date and time certain, or request a motion to close the proceedings by vote of a majority of the Commission.

G. After the hearing is closed, the Commission may discuss and/or decide any topics on the warned agenda in open or closed executive session. Participation by members of the public in these discussions will be at the option of the Chair.

Section ~~VIII~~IX: Site Visits.

If the Chair determines that a site visit will be necessary, the site visit shall be scheduled and be publicly warned in accordance with 24 V.S.A. §§ 4464(a)(1), (2).

A. Site visits shall be open to the public.

B. If a site visit was held, the minutes of the proceeding shall reflect that, and the nature and details of the site visit, including PC members in attendance.

Section ~~I~~X: Decisions.

The Commission shall issue its decisions in writing, and may deliberate in public, or in private. If it deliberates privately, the Commission must adopt its written decision at an open meeting if the decision will be a public record. The Commission may not hear testimony or consider new evidence during deliberations, but may, in appropriate circumstances, reopen a hearing for such purpose.

The following rules shall apply to voting on decisions:

A. Motions shall be made in the affirmative.

B. The Chair has the same voting rights as other members, and can make motions.

C. All members present are expected to vote unless they have recused themselves.

D. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.

E. For a motion to pass, it must receive the concurrence of a majority of the entire Commission, regardless of how many are present. 1 V.S.A. § 172; 24 V.S.A. § 4461(a). Votes in favor, against and abstentions shall be noted and attributed to members in the meeting minutes.

Section XI: Conformance with the Open Meeting Law; Electronic Communication and Minutes of PC Meetings.

The PC is a public body bound by Vermont's Open Meeting Law. See 1 V.S.A. §§ 310-314.

A. Group electronic communication (email and texts) may be used to schedule a meeting, create an agenda, or to distribute materials to discuss at a meeting, but may not be used for discussion purposes, and must generally be available for copying and inspection as public records upon written request.

B. Except during executive session, during which minutes will not be taken, a recording secretary shall take minutes of all PC meetings. Draft PC meeting minutes shall be posted to the town website within five business days, with copies made available upon request.

C. Members will periodically review the draft minutes and other official records of PC meetings and actions, and correct and ratify these when appropriate.

Section XII: Removal.

Upon majority vote, the Commission may request that the Selectboard remove a Commission member from the PC. ~~Commission members may be removed for cause by the Selectboard upon written charges and after public hearing. 24 V.S.A. § 4460(c)~~.

Commented [A1]: CHANGE: 24 VSA 4323: Any member may be removed at any time by unanimous vote of the legislative body. Any appointment to fill a vacancy shall be for the unexpired term.

Section XIII: Amendments.

These rules may be amended by the Planning Commission at any regular or special meeting by a majority vote, provided that each PC member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken.