# Town of Fayston

## Planning Commission

### Rules and Procedures

### April 13th, 2026

**Article 1** Authority

Section 1.1 Source of Authority

The Fayston Planning Commission shall be governed by the provisions of all applicable Vermont State Statutes, Municipal Bylaws, and these Rules of Procedure.

Section 1.2 Establishment of the Commission

As used in these rules, the term "Commission" shall mean the Planning Commission duly appointed by the legislative body (Selectboard) of the Town of Fayston under the authority of 24 VSA §§4321-4323.

**Article 2** Duties, Members, Officers and Staff

Section 2.1 Powers and Duties

The powers and duties of the Commission shall be as set forth in 24 V.S.A. §4325 of Chapter 117. These powers and duties include the following:

- Preparing, maintaining and amending the municipal plan and bylaws
- Conducting studies and making recommendations on land development, transportation, community development, beautification, design, historic and scenic preservation, conservation of energy, building construction codes, and public works specifications
- Entering upon land in carrying out the above duties.
- Perform other acts or functions as it may deem necessary or appropriate.

Section 2.2 Members

The size and membership of the Commission is determined by the Selectboard, who may also appoint ex-officio Commission member(s). Although ex-officio members do not have the same motion-making and voting rights as a regular member, they are expected to attend meetings and participate in discussions on a regular basis.

Section 2.3 Officers

The Commission shall elect annually at the first regular meeting after Fayston Town Meeting from its Members by a majority vote, a Chair and Vice Chair. The Commission will may also elect an Officer when an Officer position becomes vacated.

Section 2.4 Chair

The Chair shall set the agenda, call the meeting to order, preside over the meeting, put all questions, maintain order, decide all questions of order and procedure (subject to these rules), and shall appoint any committees found necessary to carry out the business of the Commission.

Section 2.5 Vice Chair

The Vice Chair shall assume all duties and authorities in the absence of the Chair. If the Chair and the Vice Chair are both absent then those Commission Members present will elect a Chair for that meeting.

Section 2.6 Signature

The Chair's signature shall be the official signature of the Commission and shall appear on all official documents and correspondence.

Section 2.7 Zoning Administrator

(i) When the Fayston Zoning Administrator position is vacant, a candidate shall be recommended by the Commission and appointed by the legislative body (Fayston Selectboard). The Zoning Administrator is an employee of the Town of Fayston. The Zoning Administrator may or may not be a member of the Commission. In addition to his or her other regular duties, the Fayston Zoning Administrator shall assist the Commission in carrying out its powers and duties, which include:

- Ensuring that minutes are kept of all Fayston Planning Commission actions and proceedings, giving a true indication of the business of the meeting.
- Compiling pertinent information for Planning Commission review
- Sending out all notices required by Law and these Rules of Procedure; and
- Performing other duties as directed by the Chair.

Section 2.8 Vacancies

The Chair shall notify the Selectboard of a Commission vacancy and request that a notice be posted. Any vacant seat with the Commission shall be filled by appointment by the Selectboard.

Section 2.9 Conflict of Interest

Commission members shall recuse themselves from any proceeding in which he or she has a personal relationship or a direct financial interest. The disqualified member shall not participate as a member of the Commission at the proceeding, nor be counted by the Commission in establishing the required quorum, but may direct questions as a member of the audience.

## **Article 3** Meetings and Voting

### Section 3.1 Open Meeting

All meetings of the Commission and its Committees shall be open to the public, per V.S.A. Chapter 1 §§ 310-314.

### Section 3.2 Regular Meetings

Regular meetings of the Commission shall be held on the second Monday of the month, unless there is no business to transact or the meeting is canceled by the Chair. The Chair shall rule on all questions of procedure and shall enforce these Rules of Procedure. The agenda of Regular Meetings shall be posted at the Fayston Town Offices, Waitsfield Post Office, Moretown Post Office, the Town Website. The agenda shall be posted at least seven days prior to the meeting. A notice of meeting could be posted on Front Porch Forum at least seven days prior to the meeting date. The Commission reserves the right to schedule more than one Regular Meeting per month based on an increased workload. The Commission will determine the schedule based on the availability of the facilities and member schedules.

### Section 3.3 Other Meetings

Special meetings of the Commission may be called by the Chair, provided that at least twenty-four (24) hours notice of time, place and business of such meeting is given each member of the Commission and posted in three public places. Emergency meetings, to be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention, may be held without public announcement or 24-hour notice, provided some public notice is given as soon as possible before the meeting.

### Section 3.4 Public Hearings

Public hearings are required prior to the Commission taking action on a municipal plan or bylaw, or an amendment or repeal thereto. The Fayston Zoning Administrator shall give public notice of the hearing in a newspaper of general publication in the municipality, and post the notice at the Waitsfield and Moretown post offices, the Fayston Town Hall, on the Fayston municipal website, and on Front Porch Forum, at least 15 days prior to the hearing date. A notice of meeting could also be sent out on the Town's mailing list at least seven days prior to meeting date. The hearing notice shall contain either the full text of the proposal or a summary of the text, along with a statement of purpose and a place in town where the full text many be read. The

Commission may recess a hearing if all business cannot be disposed of on the day set. No further public notice shall be necessary provided that the date, time and place of the recessed meeting is announced before adjournment.

Section 3.5 Quorum

A quorum must be present for any meeting, vote or official action to take place. A quorum shall consist of a majority of the voting members of the entire Commission regardless of any vacancies. The Chair may make motions and may vote on all questions before the Commission.

Section 3.6 Majority Vote Required

Determinations on any matter before the Commission shall require the concurrence of a majority of the voting members of the entire Fayston Planning Commission regardless of any vacancies or disqualifications. A tie vote, or any decision by less than a majority of the entire Commission, constitutes no action. All votes must be from Commission members physically present at the meeting, or via live audio or video if these become available.

Section 3.7 Minutes

The minutes shall include at least the following information: members of the Commission present; all other participants in the meeting; all motions, proposals and resolutions made, offered, and considered, and their disposition; the results of any votes; and a summary of the facts upon which decisions are based. Copies of unapproved minutes shall be sent to each Planning Commission Member. Corrections of the minutes may be made at the following meeting. Once the minutes are approved, copies of minutes shall be sent to the Town Clerk's Office, the Chair of the Select Board, and shall be posted on line.

**Article 4** General Rules

Section 4.1 Adoption

Upon adoption by the Commission, these Rules of Procedure shall be recorded in the Fayston Town Clerk's Office and made available to the public on line.

Section 4.2 Amendments

The Fayston Planning Commission Rules of Procedure may be amended by majority vote of the Commission at any time as long as Commission members have advance notice of the proposed change and it is stated on the Agenda.

THESE RULES WERE ADOPTED BY THE FAYSTON PLANNING COMMISSION ON THE 13th DAY OF April, 2026.

LFD 04/30/2026

Langford Davidson, Chair Date