

Our planning commission warned a public hearing on re-adoption of the town plan. There were only three members present (not a quorum). Was that a valid hearing?

No. The planning commission is a “public body” under 1 V.S.A. § 310(3). A majority of a public body must be present in order to take any action, including the act of convening a meeting. 1 V.S.A. § 172.

If you consider the purpose of the hearing, which is to give the public an opportunity to hear and to be heard, it certainly does not meet the purpose if the planning commission members are not there to hear and discuss the public’s comments.

VLCT News, June 2001