

Our appointed planning commission has difficulty meeting quorum requirements with a seven-member commission. How do we reduce membership on the commission to five members?

The legislative body of the municipality has the authority to create a planning commission under 24 V.S.A. § 4321, and the authority to set term limits and fill vacancies by appointing new planning commissioners under 24 V.S.A. § 4323 (a). The authority to reduce the size of the planning commission also lies with the legislative body.

To move to a five-member commission, the planning commission and legislative body would first meet to determine who is willing to resign from the commission. If members are inactive, they could be removed by a unanimous vote of the legislative body. 24 V.S.A. § 4323 (a).

The act of reducing the membership on the planning commission could occur at a regularly scheduled meeting of the legislative body, but VLCT recommends that the legislative body pass a resolution. This resolution would include the authority to create, appoint and set the term limits of a planning commission. It would also outline the transition from a seven-member to a five-member commission, allowing active members to complete their existing terms, and/or redefining terms for vacant seats in order to achieve staggered terms for the resulting five positions.

To keep the public informed about the reduction of the membership of the planning commission, the legislative body could hold a public hearing on the issue. The public will then have an opportunity to participate in the discussion prior to passage of the resolution.

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VLCT News, December 2007