

# D R A F T : ARB Pre-Hearing Process

To: ARB Members and Jenny Raitt

From: Barbara Thornton, TMM, Precinct 16

RE: Suggested Draft Article Review Process to Avoid Complications

DATE: 11-2-2020

Dear Board Members,

As promised in my comments during your open forum on Monday, I am sending along my notes on suggested steps to avoid the complications that arose at last spring's Town Meeting around zoning articles, and again this year. I am proposing four sages of involvement and review by ARB members and staff.

## Technical Stage: (Hearing minus 12 weeks)

- a. Assess and reconcile the proposed zoning articles with the current zoning law to determine basic issues and questions (ca. 12 weeks before hearing)
- b. Share results of this review with the petitioners, highlighting the results of the "reconciliation", related questions and concerns
- c. Lay out the technical "pathway" (from now to hearing) process for the petitioner, including an explanation of the definition and process for creating and deadline for receiving a "main motion".

## Organizational Stage: (Hearing minus 6 weeks)

- a. ARB reviews all zoning related articles, with their draft "main motions" (ca. 6 weeks before hearing)
- b. ARB determines questions and concerns based on their reconciliation of the petitioner's article with the existing zoning code and with the newly provided "main motion".
- c. Share information with petitioner so that petitioner can respond with an edited "main motion" and with more information for the ARB.

## Political Stage: (Hearing minus 3 weeks)

- a. The ARB Board members are not elected
- b. But the petitioner for the proposed article may be representing a political constituency as an elected official.
- c. Clarify in advance what kind of "community outreach" is considered valid by the ARB? What evidence of valid community outreach does the ARB require?

Personal Stage: (Hearing minus 1 week)

- a. Individual ARB members take time, both with staff and with the petitioner, to understand the issues around the article and its ramifications.
- b. Individually clarify concerns about the article in the context of one's ARB technical responsibilities vs. one's own personal preferences.
- c. Consider whether a negative vote reflects a real technical problem and not a personal preference. Take care that the vote does not block an opportunity for broader public dialogue on the article.

Goal: There should be no poorly crafted "main motions" or lack of clarity about how the petitioner's article reconciles with the existing zoning law by the time the article comes to the ARB Hearing.