

Public Hearings

A public hearing is required by law for planning and zoning decisions and is a formal opportunity for a board or commission to receive public opinion on various subjects that may eventually require board action.

Why attend and why provide comments?

Providing oral or written comments as part of a public hearing is an important opportunity for your voice to be heard before a decision is made. Whether you choose to provide oral comments, written comments, or just listen as a member of the audience, attending a public hearing can also provide important information on the issue/application that is the subject of the hearing. Listening to others comments/concerns can provide clarity on the issue being considered.

How is a public hearing conducted?

A public hearing usually is conducted this way:

- The Planning Board chairperson will explain the purpose of the hearing and will announce the “ground rules.”
- The board will vote to open the public hearing.
- The applicant will make a presentation, usually at least 15 to 20 minutes long, describing the development proposal. The applicant must prove that the proposal complies with the town’s ordinances and regulations. Professionals, including surveyors and engineers, will explain plans and other documents they have prepared.
- The chairperson will ask the town staff (the town planner, the town solicitor, or the public works director) if they wish to clarify any issues. They may identify and discuss technical issues and explain possible alternatives.
- Board members will ask questions of the applicant’s professionals.
- The chairperson will then open the hearing to the public for questions or comments.
 - People who want to speak will be asked to do so one at a time. Each person who speaks must state his or her name and address for the record.
 - The chairperson may limit each person’s questions to 3 minutes, depending on the size of the audience or the length of the agenda.
 - Professionals such as engineers or lawyers who represent owners of property near the proposed development might address the board.
 - If a photograph, map, chart, or other exhibit presented to the board by an objector, it will be retained for the record.
 - Questions and comments should not be repetitive or irrelevant.
- After everyone in the audience has had a chance to speak, the chairperson will give the applicant an opportunity to respond to the public comments.

How you can participate in the hearing:

Public hearings can be an effective way to influence decision-making. Local governments will often vote in reaction to the public comment received in a public hearing. However, in many cases, citizens may not become involved in an issue until or unless they are outraged; and public comment may as a result become emotional and confrontational. A confrontational approach to public comment is ineffective in terms of negotiating—with either the local government or a developer—for the best possible outcome.

A factual, focused, unemotional approach to public comment will provide constructive direction and, in some cases, positive resolution of an issue. For these reasons, when providing public comment, remember:

- Protect your credibility. Avoid personal attacks or statements that cannot be verified.
- Present your comments clearly and concisely, with specific suggestions relative to the proposal.
- Focus on the issues. If the topic is a development proposal, focus on whether or not the proposal meets the standards of the ordinance. For rezonings or changes to the zoning ordinance, address whether or not the changes meet the goals and intent of the comprehensive plan.
- Use good research and rely on facts, rather than assumptions or emotion.
- Do not make statements regarding the exclusion of certain types of people. Zoning, by law, cannot exclude different types or classes of people.
- Make sure you thoroughly read and understand the regulations or language that you are commenting on. If you're not sure how to interpret some of the language, work with staff or other planning professionals, or consult the planning commission.
- Show support for your position by encouraging participation from other citizens that share the same position. A large audience that supports a particular position can be very influential in the decision-making process.
- When you present comments before any elected body it is always best to prepare your comments, in advance, and read from that statement.
- Most governmental bodies allow a limited time for public comments (typically between two and five minutes) so having your statement written will help you make your strongest points within the limited time period.
- After making your oral comments, submit your statement to the Board/Commission/Council so that it can be included in the public records.
- If you are asking the Board/Commission/Council to take a specific action, it is best to also submit this request, in writing, after making the request, publicly.

What to listen for at the hearing:

At the start of the hearing, an appointed hearing officer will read several required statements into the

official record including:

- A description of the matter before the Board/Commission/Council
- The date and location of all Public Notices
- And any other applicable explanation of the hearing process

In addition to the official instructions provided at the start of the hearing, the applicant will be given time to make his/her case. During this part of the proceedings, citizens should listen carefully to all of the documents the applicant and/or their attorney(s) are asking to be admitted into the official record or transcript of the public hearing. Citizens should take careful notes of all documents submitted along with their assigned Exhibit number or letter. This will make any follow up Freedom of Information Act (FOIA) requests easier. Make careful note of the following:

- Specific application materials and dates referenced
- Maps, drawings and/or schematics provided
- Any expert reports, letters or testimony provided
- Notations or references to all letters, emails, meeting notes that have been submitted to the Township – again, having detailed information on each of these will be helpful in any follow up FOIA requests
- Any other materials submitted for consideration as part of the hearing proceedings