

SCC Policy for Public Comments for Public Hearings/Meetings

Approved 1/13/2022

Objectives:

- Encourage and support appropriate public participation and access to public officials
- Maintain an orderly process
- Ensure that Commissioners have sufficient opportunities to comment and ask questions

Procedures:

- Chair will open the Public Hearing and make a brief introduction at beginning of hearing with a brief explanation of the approval process, fact-finding nature of the Public Hearing, ConCom jurisdiction, and procedure for public comments. For ANRADS, the Chair will inform the public that the Commission is not able to make comments or arrive at decisions about any project that is not before it at the present time.
- For continued hearings, applicants will be allowed 5 minutes to provide updates.
- Commissioners will be given opportunity to ask questions and discuss amongst themselves or with the Applicants, 3rd Party Reviewers, and DEP as they see fit.
- Third Party Reviewers and DEP will be allowed opportunity to make comments or ask questions.
- Third Party Reviewers, DEP, Applicants, and consultants must be recognized by the Chair to make comments.
- Public Comment Period (Order: ConCom; Town Officials; Residents; Others)
 - Public comments will be permitted only after all Commissioners agree they have had sufficient opportunity to ask questions.
 - The Public Comment Period will be no more than 30 minutes total in each session.
 - Commenters must be recognized by the Chair.
 - Questions and comments should be directed to the Commission. The Chair will determine if another participant (e.g., Applicant, 3rd Party Reviewer, consultants) should respond.
 - Each commenter will be allowed 2 minutes per comment.
 - Comments must be respectful and germane to the topic at hand.
 - Commenters may at the discretion of the Chair be allowed a second comment if time permits and the comment is not a repetition of previous comments.
 - If comments are off topic, the Chair may cut off the commenter.
- After conclusion of Public Comment Period, the Commission will determine whether it has enough information to close the Public Hearing or whether it needs to continue the Public Hearing to a specific date/time. The Applicant must agree to a continuation before the Commission votes to continue.
- The Commission will vote on a motion to either close or continue to a date certain.
- After the Hearing is closed, the Commission will deliberate, draft its Order and vote on the Order. A draft Order may be prepared in advance for the Commission to review and edit.

Content for Website:

Conservation Commission Public Hearing Information

What is a Public Hearing?

Public hearings are special open meetings conducted by the Conservation Commission to review projects, approve permits, and issue findings related to the Massachusetts Wetlands Protection Act and the Shutesbury Wetlands Protection Bylaw. The public is welcome to attend hearings and comment, provide firsthand accounts, and raise concerns about which the Commission may not be aware. Hearings allow the Commission to ask questions of the applicant and the public to fill in missing information about the proposed activities and the site. Hearings are posted at least 48 hours in advance on the Shutesbury town website at <https://shutesbury.org/calendars>. At present, all public hearings are being held virtually via Zoom. Recordings of hearings are available upon request to the Town Clerk. Written minutes are available on the town website after they have been approved by the Commission.

What issues does the Commission consider?

The scope of issues that the Commission can consider in reviewing proposed projects is defined by state and local law and regulations. In presenting testimony (oral or written) it is most helpful to focus on these issues.

What to expect at a Conservation Commission hearing?

At the hearing, the applicant or their representatives will first present and explain their plans and the Commission members will ask questions. Consultants and third-party reviewers may also present information and ask questions at the discretion of the Chair. The Commission will conduct a question-and-answer period between the members and the applicant in order to address any outstanding concerns. The Commission will also ask for comments from abutters and other members of the public interested in the project. As part of the information needed by the Commission,

The Commission Chair will open the hearing to questions and concerns from the public related to wetland protection. All questions need to be directed to the Commission Chair. An individual will be called upon and state his or her name and address for the record.

As the Commission hears several projects and discusses and votes on other ongoing matters at each meeting, please keep questions and comments limited to wetland issues related to the site in question only. Please wait to be recognized by the Commission Chair before speaking and keep your questions and comments brief to allow time for others to speak. Depending on time constraints, the Commission Chair may place time limits on public comments.

At the end of the discussion, the hearing may be closed if there is no more information to be received or continued to a future hearing. Continuation of the hearing is at the applicant's discretion. While the Commission can request that the hearing be continued to allow further review, the applicant does not have to abide.

If the applicant chooses to close the hearing, the Commission will vote to approve or deny the application based on information received up to that point. Once a hearing is closed, there can be no further input from the public. The Commission cannot review new information after the close of a hearing.

Suggestions for presenting testimony at Public Hearings

- State your name and address for the record before you speak and each time you speak
- Feel free to use the proposed plan to point out concerns you may have and try to stand so that the Commission can see the area to which you are referring
- Try to state all your questions or concerns at once and then allow the next person to speak
- Be polite and respectful of differing opinions
- While you may have questions of the applicant, you should address them to the Commission
- Avoid personal attacks – stick to issues relating to the project and within the scope of the Commission's review. For example, issues like traffic and noise are outside of the Commission's purview
- Don't ask to speak again unless everyone has had a chance to be heard
- It is fine to just say "I agree with Ms. Smith about that drainage issue" rather than restating the same concerns
- Comments made at one hearing need not be repeated at subsequent ones unless they have not been addressed

How to comment on a project if you are unable to attend a Hearing

- The Commission accepts written and emailed comments as long as they are submitted prior to the close of the public hearing.
 - Comments can be mailed to the Conservation Commission at Town Hall, PO Box 276, Shutesbury, MA 01072. There is a dropbox in front of Town Hall that can be used for this purpose.
 - Comments can be sent via email to concom@shutesbury.org.