



Public Hearing Protocols

Public Hearings: All hearings and meetings of the Board are open to the public except as may be determined by the Board in accordance with the provisions of the Massachusetts Open Meeting Law. No person shall be excluded from a meeting or public hearing unless he or she is considered by the Chair to be a “serious hindrance” to the workings of the Board.

Hearing Procedure: The Chair shall open the hearing no earlier than the advertised time in the specified meeting place, and proceed in the following order:

1. A Board member will read the notice of hearing as published.
2. The Applicant or Representative shall present their case to the Board.
3. Questions and comments from the Board.
4. Questions and comments from public officials and representatives of other Town boards.
5. Questions and comments from abutters to the property.
6. Questions and comments from other interested parties.
7. Responses from the Applicant.
8. The public hearing will be continued or closed.
9. The Board will discuss the application and render a decision or set a date for rendering a decision.

Any person who favors, objects, or questions any Application shall have the right to speak, at the discretion of the Chair and under the following circumstances:

- The Chair will ask for the names and addresses (and any pertinent affiliations) of all persons making public comment.
- All questions, comments, and remarks should be directed to the Chair, and not to the applicant, other speakers, staff, or others.
- Presenters and speakers are expected to be brief, to the point, and respectful. The Chair shall determine time limits for individual presentations if necessary, to ensure that all citizens and Board members have the opportunity to speak.
- Speakers should focus on asking new questions or providing new information, and avoid repeating previous remarks.

Site Visits: Formal site visits may be arranged at a public meeting and are open to the public for the purpose of assisting the Board members and other interested parties to become familiar with the property involved in the application. Board members and other interested parties may, through the Chair, ask questions about, and the applicant may point out, site details pertaining to the application, such as boundaries, contours, proposed buffers, driveways, etc. No other testimony will be taken, and no other discussion should occur. No minutes are taken.

Continuances: A motion to continue a hearing to another meeting may be requested by the Applicant or by a member of the Board. The continuance shall be made to a date and time certain.

Decision Making: Following close of a hearing, there will be no communication, written, verbal or otherwise with the Board as this material would not be subject to public review and comment, until such time as a decision has been rendered, unless it has been established in writing that the hearing will remain open for additional information for a specified length of time.

- **Findings:** For most types of Applications, the Board shall make Findings of Fact as necessary to support its decision to either Approve, Approve with Conditions or Deny an Application. Minimum findings should include site information, zoning compliance, compliance with applicable decision criteria and other pertinent facts deemed necessary to support a final decision.
- **Decision:** Based upon the Findings of Fact, a motion shall be made (and seconded) by a Member on the Application to Approve, Approve with Conditions or Deny an Application. Once filed with the Town Clerk, notice of the decision will be sent to abutters and the decision will be recorded at the Norfolk County Registry of Deeds at the expense of the applicant after a 20-day appeals period.



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Appeals: The Board urges those who may feel aggrieved by the Board's decision to promptly consult an attorney because the time periods are short and strictly enforced.