



## Memorandum

**To:** Town Council Members  
**From:** Mandi Jo Hanneke, Chair, Community Resources Committee (CRC)  
**Date:** June 23, 2022  
**Re:** Report by the Chair of CRC to the Town Council

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### **Summary:**

This report is regarding only the CRC recommendations for filling the vacancies on the Zoning Board of Appeals (ZBA). During the June 23, 2022 meeting, CRC interviewed applicants for appointment to the ZBA and produced a recommendation to the Council.

### **Discussion: Vacancies on the ZBA**

On June 23, 2022, **CRC voted the following motions unanimously, with one absent (Pam Rooney):**

**To recommend** that the Town Council appoint the following residents to the Zoning Board of Appeals:

1. Associate Member, effective July 1, 2022, for a term expiring at the conclusion of action on the matter of ZBA FY2022-13: Karin Winter (extension of term to complete hearing on which member is serving)
2. Associate Member, effective July 1, 2022, for a term expiring at the conclusion of action on the matter of ZBA FY2022-14: Eric Cochrane (extension of term to complete hearing on which member is serving)

**To recommend** that the Town Council reappoint Steve Judge and John Gilbert as Full Members to the Zoning Board of Appeals, for terms effective July 1, 2022 and ending June 30, 2025.

**To recommend** that the Town Council appoint Sarah Marshall as Associate Member to the Zoning Board of Appeals, for a term effective July 1, 2022 and ending June 30, 2023.

**To recommend** that the Town Council waive Section 9, Interviews, of the Town Council Policy on Making Recommendations for Town Council Appointments to Multiple-Member Bodies for John Varner, as he was unable to attend the interview for ZBA applicants that was scheduled prior to his submission of a Community Activity Form, but did provide to CRC written answers to the adopted interview questions.

In addition, on June 23, 2022, the **following motion failed to gain a majority** vote: “to recommend that the Town Council appoint John Varner as Associate Member to the Zoning Board of Appeals, for a term effective July 1, 2022 and ending June 30, 2023.” The vote was 1-3 with 1 absent (Yes: Taub; No: Bahl-Milne, De Angelis, Hanneke; Absent: Rooney).

For context, the ZBA has 5 members and 4 associate members. Two member terms expire on June 30, 2022. Both members sought reappointment. All four associate member terms expire on June 30, 2022. Two of those seats were already vacant, and the other two associates did not seek reappointment.

Therefore, at the time of the interviews on June 23, 2022, there were six seats that could receive recommendations for appointments.

To produce this recommendation, CRC implemented the Policy the Council adopted on September 27, 2021. The information below described CRC actions, deliberations, and decisions during each step of this process.

### **Notification on the Bulletin Board**

In accordance with Section 1 of the Council's Policy, on January 10, 2022, CRC reviewed the Bulletin Board notice for the many ZBA current and impending vacancies and on January 18, 2022, the Vice Chair caused notice of the two associate vacancies, two impending associate vacancies, and two impending full member vacancies to be published on the Town's Bulletin Board. See Attachments for a copy.

Once the Bulletin Board notices were posted, in accordance with Section 2 of the Council's Policy, the Vice Chair contacted all individuals who had completed a CAF within 2 years of the Bulletin Board posting and all ZBA members whose terms were scheduled to expire on June 30, 2022.

### **Sufficiency of the Pool**

In accordance with Section 3 of the Council's Policy, on **May 12, 2021 CRC voted unanimously to declare the applicant pool sufficient to move forward in the process at this time.**

Section 3 of the adopted process states as follows:

*In making a determination regarding the sufficiency of the applicant pool, CRC shall consider the following factors:*

- *The number of applicants relative to the number of vacancies or impending vacancies. The Council strives for more applicants than vacancies.*
- *The demographic diversity of the applicant pool. The Council strives for a diverse applicant pool, including age, gender, race, income, home-ownership/rental status, and location of residence.*
- *The current needs of the body-to-be-appointed, including any current burdens placed on the body by a vacancy.*

At the time of the vote, CRC recognized that neither the number of applicants (3) nor the diversity of the applicants were truly sufficient. But, in order to complete the process prior to June 30, the pool needed declared sufficient, in order to move to the next steps in the process. As this Council knows, the Chair continually urged Councilors to recruit applicants. In addition, as the interview date approached, the Chair reached out to the Manager for suggestions based on CAF applicants to Manager-appointed multiple-member bodies.

### **Selection Guidance**

On May 26, 2022, CRC reviewed the proposed Selection Guidance and **voted unanimously to adopt the Selection Guidance for filling the vacancies on the ZBA.**

The adopted Selection Guidance is attached to this report. Chair Hanneke explained that she sought input from the ZBA chair and, per the Policy, provided that input to CRC to consider.

### **Statements of Interest**

In compliance with the adopted process, Statements of Interest were solicited from all interested applicants after the adoption of selection guidance. Statements of Interest were due by the evening of June 13, 2022, which, due to the dearth of applicants, was extended to the latest possible time of 9 am on June 16, 2022. Four Statements of Interest were received by the deadline and no Statements of Interest were received between the deadline and the posting of the June 23 interview meeting on June 16, 2022. In accordance with the process, the Statements of Interest were posted on the meeting posting and in the packet at least seven days prior to the interviews.

### **Interview Questions**

**On May 26, 2022, CRC voted unanimously to adopt the ZBA interview questions.**

The adopted ZBA questions are attached to this report. CRC used the interview questions for the most recent Planning Board and ZBA vacancies as a starting point. The adopted interview questions are attached to this report.

### **Interviews**

In accordance with the adopted process, the Chair designated each member of CRC to ask specific interview questions and distributed the plan to the members prior to the interviews.

Over a week prior to the interviews, all applicants received the interview questions, selection guidance and committee handout.

Interviews of applicants to the ZBA occurred on June 23, 2022 at a special CRC meeting. CRC interviewed three applicants. Three of the four applicants that submitted a Statement of Interest were interviewed. The fourth applicant, John Varner, could not attend the interviews. He submitted his CAF after the interview date was established. In seeking maximum flexibility, the Chair offered Mr. Varner the option of submitting written responses to the adopted interview questions, which he did, and which were placed in the packet. At the time the offer was made, the Chair explained that the Council would need to vote to waive its Policy regarding interviews in order for him to be considered an applicant, even if he submitted written responses. See below for further discussion.

Video of the interviews will be available online on the Town's YouTube Channel. The meeting packet where the Statements of Interest and the written responses of John Varner to the adopted interview questions can be found here: [Document Center • Town of Amherst • CivicEngage \(amherstma.gov\)](#)

### **CRC Recommendation**

Following the conclusion of interviews, CRC discussed a recommendation to the Town Council.

It first voted to recommend that the terms of the current associate members who did not seek reappointment be extended until the specific matters on which they are serving are completed. This recommendation applies to Karin Winter and Eric Cochrane.

Second, CRC voted to recommend that John Gilbert and Steve Judge be reappointed as members of the ZBA for three-year terms. Both residents are well qualified and spoke knowledgeably about their service and the role of the ZBA. While Councilor Rooney was absent for the vote, she indicated through Councilor Taub that she supported this motion.

Third, CRC voted unanimously to recommend that Sarah Marshall be appointed as an associate member of the ZBA for a one-year term. Ms. Marshall is a dedicated public servant, having served on both the Recreation Commission and the CPA Committee. She expressed a willingness to learn and ask questions regarding the zoning bylaw and her role were she to be a member of the ZBA. CRC members expressed confidence in her qualifications and dedication to taking on this new role in service to the Town. While Councilor Rooney was absent for the vote, she indicated through Councilor Taub that she supported this motion.

Fourth, CRC voted unanimously to recommend the Council waive the interview requirement for John Varner. Reasons include that the Council should seek to be as flexible as possible, the applicant applied after the interview date was set, and the applicant provided written responses to the adopted interview questions. Once Councilor did mention that since this is the second year in a row that this recommendation is being made, the Council may want to revisit the interview requirement to add flexibility to it. While Councilor Rooney was absent for the vote, she indicated through Councilor Taub that she supported this motion.

Fifth, CRC voted against recommending John Varner for appointment as an associate member of the ZBA. Members voting against recommending him as an associate member indicated his responses to the interview questions did not appear complete, as well as concerns that his answers did not indicate a “willingness to listen not only to the views of the applicants and public but also sensitivity to the opinions and expertise of other members” as required in the selection guidance, with his answers appearing to state that public input was more important than anything else, without compromise or consideration, and that abutters’ opinions and experiences should not be abrogated in favor of a legally proposed change in use to a property they abut. One member indicated support for recommending him as an associate member as he may complement the other members’ views in these areas. While Councilor Rooney was absent for the vote, she indicated through Councilor Taub that she supported the motion to recommend the Council appoint John Varner as an associate member.

### **Recommended Motions**

**MOVED:** To appoint the following residents to the Zoning Board of Appeals:

1. Associate Member, effective July 1, 2022, for a term expiring at the conclusion of action on the matter of ZBA FY2022-13: Karin Winter (extension of term to complete hearing on which member is serving)
2. Associate Member, effective July 1, 2022, for a term expiring at the conclusion of action on the matter of ZBA FY2022-14: Eric Cochrane (extension of term to complete hearing on which member is serving)

**MOVED:** To reappoint Steve Judge and John Gilbert as Full Members to the Zoning Board of Appeals, for terms effective July 1, 2022 and ending June 30, 2025.

**MOVED:** To appoint Sarah Marshall as Associate Member to the Zoning Board of Appeals, for a term effective July 1, 2022 and ending June 30, 2023.

**MOVED:** To waive Section 9, Interviews, of the Town Council Policy on Making Recommendations for Town Council Appointments to Multiple-Member Bodies for John Varner, as he was unable to attend the interview for ZBA applicants that was scheduled prior to his submission of a Community Activity Form, but did provide to CRC written answers to the adopted interview questions.

**Non-Recommended Motion – Included here for reference purposes only**

**MOVED:** To appoint John Varner as Associate Member to the Zoning Board of Appeals, for a term effective July 1, 2022 and ending June 30, 2023

**Demographic Information of the Applicants who Submitted Statements of Interest**

**Gender:** 25% Female; 75% Male

**Racial/ethnic background:** 25% White; 50% Caucasian; 25% European

**Age:** 25% - Age 30-39; 75% - Age 60-69

**Languages Spoken:** 100% English

**Residence in Amherst:** 25% District 3; 75% District 4

**Demographics of Continuing Planning Board Members (3 members)**

**Gender:** 33% Female; 66% Male

**Racial/ethnic background:** 33% White; 6% Caucasian

**Age:** 33% - Age 18-29; 33% - Age 60-69; 33% - Age 70-79

**Languages Spoken:** 66% English; 33% some Spanish; 33% some ASL, French; 33% Unknown (left blank)

**Residence in Amherst:** 33% District 2; 66% District 4

**Committee Members:**

Shalini Bahl-Milne

Pat De Angelis

Mandi Jo Hanneke, Chair

Pam Rooney, Vice Chair

Jennifer Taub

Attachments:

- ZBA January 18, 2022 Bulletin Board Notices
- ZBA Selection Guidance
- ZBA Interview Questions

COVID-19 INFO Indoor Mask Mandate Starting Wednesday, August 18th

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**AMHERST BULLETIN BOARD**

Posted on: January 18, 2022

**TOWN COUNCIL ACCEPTING APPLICATIONS FOR ZONING BOARD OF APPEALS ASSOCIATE MEMBERS**

Town Council Accepting Applications for Zoning Board of Appeals Associate Members

The Town Council will be filling two vacancies for associate members on the Zoning Board of Appeals, each for a term to end June 30, 2022 and is seeking residents interested in serving on the Board.

The Town Council is currently accepting applications from Amherst residents interested in serving on the Zoning Board of Appeals as Associate Members. Applicants should have experience with aspects of planning, development, design, architecture, construction, zoning, and/or real estate. The Town Council is especially seeking individuals of diverse backgrounds, including those who have no prior municipal government experience.

For more information on the Zoning Board of Appeals read an information handout at: <https://www.amherstma.gov/DocumentCenter/View/56291/ZBA-Handout-Prepared-by-Town-Council-Community-Resources-Committee--Dated-2021-03-31>.

If you are interested in volunteering to serve, please fill out a Community Activity Form at: <https://www.amherstma.gov/FormCenter/Community-Activity-Form-14/Community-Activity-FormTown-Council-App-165>.

Those who have submitted a CAF expressing interest in serving within the past three years will be contacted regarding your prior submission regarding how to express continued interest.

If you have questions, please reach out to Mandi Jo Hanneke, Chair of the Community Resources Committee of the Town Council, at [hannekem@amherstma.gov](mailto:hannekem@amherstma.gov) or our Town Community Participation Officers at [getinvolved@amherstma.gov](mailto:getinvolved@amherstma.gov).

Town Council appointment of Zoning Board of Appeal members is in accordance with Charter Section 2.9(c). This notice fulfills the Town bulletin board requirement in Charter Section 9.12(e).

The references cited above are from the Amherst Home Rule Charter: <https://www.amherstma.gov/DocumentCenter/View/41987/Amherst-Home-Rule-Charter?bidid=>

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**AMHERST BULLETIN BOARD**

Posted on: January 18, 2022

**TOWN COUNCIL ACCEPTING APPLICATIONS FOR ZONING BOARD OF APPEALS MEMBERS**

Town Council Accepting Applications for **Zoning Board of Appeals - Full Members**

The Town Council will be filling two (2) impending vacancies for Full Members on the Zoning Board of Appeals, each for a three-year term to start July 1, 2022, and to end June 30, 2025.

The Town Council is currently seeking applications from Amherst residents interested in serving on the Zoning Board of Appeals as Full Members. Applicants with experience in, or exposure to, aspects of planning, development, design, architecture, construction, zoning, lighting, law, business, and/or real estate are well-suited for these positions. The Town Council is especially seeking individuals of diverse backgrounds, including those who have no prior municipal government experience.

If you are interested in volunteering to serve, please fill out a Community Activity Form (CAF) at: <https://www.amherstma.gov/FormCenter/Community-Activity-Form-14/Community-Activity-FormTown-Council-App-165>.

Those who have submitted a CAF within the past two years will be contacted again to confirm your continued interest.

Information on the **Zoning Board of Appeals** can be found at: <https://www.amherstma.gov/DocumentCenter/View/56291/ZBA-Handout-Prepared-by-Town-Council-Community-Resources-Committee--Dated-2021-03-31>.

If you have questions, please reach out to Pam Rooney, Vice Chair of the Community Resources Committee of the Town Council, at [rooneyvp@amherstma.gov](mailto:rooneyvp@amherstma.gov), or our Town Community Participation Officers at [getinvolved@amherstma.gov](mailto:getinvolved@amherstma.gov).

Town Council appointment of Zoning Board of Appeal members is in accordance with Charter Section 2.9(c). This notice fulfills the Town bulletin board requirement in Charter Section 9.12(e). The references cited above are from the Amherst Home Rule Charter: <https://www.amherstma.gov/DocumentCenter/View/41987/Amherst-Home-Rule-Charter?bidid=>

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AMHERST BULLETIN BOARD

Posted on: January 18, 2022

TOWN COUNCIL ACCEPTING APPLICATIONS FOR ZONING BOARD OF APPEALS ASSOCIATE MEMBERS

Town Council Accepting Applications for Zoning Board of Appeals - Associate Members

The Town Council will be filling up to four (4) vacancies for Associate Members on the Zoning Board of Appeals, each for a one-year term to start July 1, 2022, and to end June 30, 2023.

The Town Council is currently seeking applications from Amherst residents interested in serving on the Zoning Board of Appeals as Associate Members. Applicants with experience in, or exposure to, aspects of planning, development, design, architecture, construction, zoning, lighting, law, business, and/or real estate are well-suited for these positions. The Town Council is especially seeking individuals of diverse backgrounds, including those who have no prior municipal government experience.

If you are interested in volunteering to serve, please fill out a Community Activity Form (CAF) at: <https://www.amherstma.gov/FormCenter/CommunityActivityForm14/CommunityActivityFormTownCouncilApp365>.

Those who have submitted a CAF within the past two years will be contacted again to confirm your continued interest.

Information on the Zoning Board of Appeals can be found at: <https://www.amherstma.gov/DocumentCenter/View/56291/7BA-Handout-Prepared-by-Town-Council-Community-Resources-Committee--Dated-2021-03-31>

If you have questions, please reach out to Pam Rooney, Vice Chair of the Community Resources Committee of the Town Council, at [pprooy@amherstma.gov](mailto:pprooy@amherstma.gov), or our Town Community Participation Officers at [getinvolved@amherstma.gov](mailto:getinvolved@amherstma.gov).

Town Council appointment of Zoning Board of Appeal members is in accordance with Charter Section 2.9(c). This notice fulfills the Town bulletin board requirement in Charter Section 9.12(e). The references cited above are from the Amherst Home Rule Charter: <https://www.amherstma.gov/DocumentCenter/View/41987/Amherst-Home-Rule-Charter?bidid=>



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## Zoning Board of Appeals Selection Guidance

Adopted May 26, 2022

### A. Criteria for a healthy and effective multiple-member body

The Council considers the following factors to be important for a multiple-member body to be healthy:

- 1) A strong base of seasoned members who have completed or nearly completed at least one term as a member. These members bring an understanding of process, institutional knowledge, can mentor new members, and take on leadership roles.
- 2) Newer members who have served less than one term. These members bring new energy, outlooks, and ideas to the body, and ensure the body will continue to have a strong base of seasoned members in the future.
- 3) Members who reflect the diversity of the Town's residents (e.g. in age, gender, race, income, home-ownership/rental status, location of residence, etc.), and are broadly representative of the Town.

### B. Input from the body's chair

*The Chair of the ZBA highlighted some items to consider when making appointment recommendations to the ZBA. These include:*

- Geographic, economic, age, employment, and length of residency diversity
- Background in housing, architecture, construction, lighting, landscape design, or law
- Understand the quasi-judicial nature of the ZBA
- Previous service on Town boards
- Willing and able to attend site visits, study and prepare for hearings, and devote time on weeknights to our meetings
- Collegial, willing to listen not only to the views of the applicants and public but also sensitive to the opinions and expertise of other members

*Below is the text of the input received from ZBA Chair Steve Judge on October 9, 2021. Since the Chair referenced a prior email, that email is also included below.*

Dear Mandi Jo,

Thank you for reaching out to me regarding the appointment of a new associate member to the Zoning Board of Appeals. I think it is important that the ZBA have a full complement of members. There are many instances where a full member cannot serve on a particular panel or may have a conflict concerning a particular application. A full slate of full and associate members gives us the flexibility to consider all the applications before us in a timely manner. It also gives those associate members a chance to participate in the hearing process and gain the skills and experience needed to be a successful full member.

I want to reiterate what qualities and characteristics I think are important for a ZBA member. These are fundamentally the same as the qualities I thought important in April this year when the Council appointed several members to the ZBA.

In addition to the qualities I mentioned before I think there is something else to consider. That is geographic diversity and background in housing, architecture or construction. We currently have two

members possessing experience in those areas. That will be helpful to our deliberations. To the extent that you can select someone else with that set of skills it would be helpful.

Also, we have a fairly diverse board. We have members who own their homes and those that do not. We have members who are students, who are working and who are retired. We have ZBA members who are long term residents of the town and those that have come here recently. We have a disproportionate number of members who live close to town center. I think there is only one member who has served on other town boards before serving on the ZBA.

So, a member that lives outside the town center and has served on town boards previously would be a real benefit.

#### Where the ZBA stands currently.

Zoning is complicated and acquiring the knowledge and understanding of the Bylaw takes considerable time. Just as importantly, understanding the appropriate role of the ZBA as a quasi-judicial body applying the at times arcane Bylaw and exercising our judgment and discretion where indicated by the Bylaw requires balancing the inherent tension between those two roles.

All this is to say that institutional history, stability in membership and a developing knowledge of the Bylaw in the membership are critical for the effective functioning of the ZBA. I think it is imperative that we have a core of seasoned Full and Associate Members. Replacing current Members who are just completing their first term with “fresh” Members is counterproductive and impairs the work of the Board. It takes a couple of years to become an effective Member. The role of the Associate Members is important here. Serving as an Associate Member allows one to familiarize themselves with the Bylaw and the process and decide if they are interested in continuing serving on the ZBA.

#### Skills and characteristics of a successful member.

Serving on the ZBA requires the commitment of a considerable amount of time. As such, a Member has to be willing and able to attend site visits, study and prepare for hearings, and devote time on weeknights to our meetings. A successful Member should be collegial, willing to listen not only to the views of the applicants and public but also sensitive to the opinions and expertise of other members. This is especially important in a body that requires a super majority of four out of the five members to approve a Special Permit. Also a successful member has to understand the quasi-judicial nature of the ZBA. Our role is to apply the Bylaw, and where appropriate to exercise our judgement. Since our decisions have to be based on certain findings, imposing conditions on special permits is often a predicate for making the Section 10.38 findings required to grant a special permit.

I don't know how the CRC or the Town Council determines if applicants for the ZBA possess the qualities of, hard work, collegiality and the ability to balance the roles, but to the extent that you can, it will improve the functioning of the ZBA.

#### Knowledge and/or expertise related to the work of the ZBA

I don't think that it should be a requirement that every potential member have knowledge or expertise in the work of the ZBA before appointment. I think members should come with diverse experiences. But I have found it helpful when some members have experience in construction, lighting, landscape design, or a legal background. A balance is important. So it is good to have at least one person on the Board that

has some experience in construction. I think the knowledge of the material that is considered by the ZBA can be gained through time of service on the Board.

Preferred knowledge and/or expertise to meet the current needs of the ZBA.

I think it would be helpful to have someone with some expertise in housing or construction on the board. I also think that the Council should endeavor to ensure the Board is geographically diverse. The Board has been and continues to have a majority of Full and Associate Members who live close to downtown. It is natural for residents living in the town's center to be interested in the ZBA process because quite a number of the special permit applications have been, and will continue to be, in this geographic area. However, the Board has benefited from the perspective of Members that live in other Amherst neighborhoods.

Thank you again for seeking my input, I would be happy to discuss this further with you, the CRC or the Council. I hope you will be able to fill the vacancy in the near future.

Sincerely,  
Steve Judge, Chair  
Amherst Zoning Board of Appeals

*Below is the text of the input received from ZBA Chair Steve Judge on April 19, 2021, which was referenced above.*

Thank you for eliciting my thoughts on appointments of members to the Zoning Board of Appeals.

Where the ZBA stands currently.

We have one Full Member vacancy. Fortunately we have four Associate Members who have been able to fill in as needed. It is important that the Council fill all vacancies.

On balance this is a fairly inexperienced board. One Full Member has served for several years on the ZBA. I have the next most time of service having served as chair for about a year, Full Member for a year and Associate Member for about a year. With the exception of one Associate Member who served for a year, all other Full and Associate members were appointed last year.

Zoning is complicated and acquiring the knowledge and understanding of the Bylaw takes considerable time. Just as importantly, understanding the appropriate role of the ZBA as a quasi-judicial body applying the at times arcane Bylaw and exercising our judgment and discretion where indicated by the Bylaw requires balancing the inherent tension between those two roles.

All this is to say that institutional history, stability in membership and a developing knowledge of the Bylaw in the membership are critical for the effective functioning of the ZBA. I think it is imperative that we have a core of seasoned Full and Associate Members. Replacing current Members who are just completing their first term with "fresh" Members is counterproductive and impairs the work of the Board. It takes a couple of years to become an effective Member. The role of the Associate Members are important here. Serving as an Associate Member allows one to familiarize themselves with the Bylaw and the process and decide if they are interested in continuing serving on the ZBA.

As regards to the specific questions and Selection Guidance let me address each item individually.

### 1. Skills and characteristics of a successful member of that body

Serving on the ZBA requires the commitment of a considerable amount of time. As such, a Member has to be willing and able to attend site visits, study and prepare for hearings, and devote time on weeknights to our meetings. A successful Member should be collegial, willing to listen not only to the views of the applicants and public but also sensitive to the opinions and expertise of other members. This is especially important in a body that requires a super majority of four out of the five members to approve a Special Permit. Also a successful member has to understand the quasi-judicial nature of the ZBA. Our role is to apply the Bylaw, and where appropriate to exercise our judgement. Since our decision have to be based on certain findings, imposing conditions on special permits is often a predicate for making the Section 10.38 findings required to grant a special permit.

I don't know how the CRC or the Town Council determines if applicants for the ZBA possess the qualities of, hard work, collegiality and the ability to balance the roles, but to the extent that you can, it will improve the functioning of the ZBA.

### 2. Knowledge and/or expertise related to the work of the Zoning Board of Appeals

I don't think that it should be a requirement that every potential member have knowledge or expertise in the work of the ZBA before appointment. I think members should come with diverse experiences. But I have found it helpful when some members have experience in construction, lighting, landscape design, or a legal background. A balance is important. So it is good to have at least one person on the Board that has some experience in construction. I think the knowledge of the material that is considered by the ZBA can be gained through time of service on the Board.

### 3. Preferred knowledge and/or expertise to meet the current needs of the Zoning Board of Appeals

I think it would be helpful to have someone with some expertise in housing or construction on the board. I also think that the Council should endeavor to ensure the Board is geographically diverse. The Board has been and continues to have a majority of Full and Associate Members who live close to downtown. 3 of the 4 current Full Members and 2 or 3 of the Associate Members live close to the center of town. It is natural for residents living in the town's center to be interested in the ZBA process because quite a number of the special permit application have been, and will continue to be, in this geographic area. However, the Board has benefited from the perspective of Members that live in other Amherst neighborhoods.

Thank you again for seeking my input, I would be happy to discuss this further with the CRC or the Council. I hope you will be able to fill the vacancies in the near future.

Steve Judge

## Community Resources Committee of the Town Council

### Interview Questions for June 2022 ZBA Applicant Interviews

Adopted May 26, 2022

1. What do you feel you bring to the ZBA that can make it successful? Please include any experience you have appearing before the Planning Board or ZBA or watching one of their meetings.
2. Tell us about an experience you have had collaborating with a group, particularly where opinions conflicted, or the decision was controversial?
3. Do you understand the role of the ZBA and how it differs from the role of the Planning Board?
4. When interpreting a provision of the Zoning Bylaw, should the ZBA consider the original intent of that provision, its common-sense meaning, and/or something else?
5. Whose interests do you think are most important in Special Permit or Site Plan Review applications--the Town staff, the landowner (applicant), the parties-in-interest (abutters), other residents?
6. What's your opinion of waivers, exceptions, dimensional special permits in the Zoning By-law? When should they be used and when should they not be used?
7. What is your approach to incorporating public input into your decision making?
8. What else would you like us to know about you that makes you a strong candidate for the ZBA?
9. Please confirm that you have the time to commit to meetings, hearings, and site visits?

You will have 2-3 minutes to answer each of questions 1 through 8. Please answer question 9 with a yes or no. Questions will be asked by members of the CRC. All applicants will answer each question after it is asked, in a random order, determined by the CRC Chair. All applicants will answer each question before moving on to the next question. If you have questions, please contact Pam Rooney, Vice Chair of the CRC, at [rooney@amherstma.gov](mailto:rooney@amherstma.gov).