

# The New Reality of Public Hearings-The Keys to Success

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As virtual public hearings become the new reality and the norm, applicants and municipal boards are learning how to ensure successful and informative hearings. Here are several keys for success:

For the Municipal Board or Agency:

- Proper notice. As with in-person hearings, this is the foundation of a successful virtual public hearing. Proper notice must contain, at the minimum, the name of the public body holding the hearing, the date and time of the hearing, the platform which will be used to conduct the hearing, access information to the virtual hearing, the manner in which the public can submit comments and the deadline for submission of the comments.
- Essential documents should be made available on the municipality's website. For each application being heard at a public hearing, the essential documents associated with each application, should be placed on the municipality's website for public access.
- Familiarity and testing of the virtual platform prior to the meeting. It is essential for the host of the meeting and the members of the municipal Board to be familiar with the platform and its essential features, such as letting attendees into the meeting, screen sharing, muting, and queuing public comments and answering questions.

For the Applicant:

- Submit all hard and soft copies of all application documents to the municipal agency well in advance of the hearing. All required documents should be submitted to the public body as soon as practicable. This is especially true for new or updated documents, as it will allow the board, as well as the public, to review and submit comments in advance of the hearing.
- Prepare in advance. Advance preparation of the applicant's presentation, which includes the preparation of experts, consultants, and witnesses, is essential for a smooth virtual hearing. It will also allow an applicant to control its presentation to ensure that a proper record is being established should an appeal be needed.
- Familiarity with the virtual platform being utilized. The applicant or their representative should familiarize themselves with the virtual application (i.e. Zoom, Microsoft Teams etc.), especially if the platform being used is one which the applicant is unfamiliar with. Witnesses and experts who will appear at the hearing should do the same. This will ensure that a presenter can share documents that they want to highlight and answer questions from the board and the public.
- Plan for unexpected technological issues. It is best practice to have a second device, such as a phone or iPad ready to access the public hearing in case your main device experiences any difficulty.

Virtual public hearings may very well become a permanent tool available to, and used by, administrative boards. These basics will go a long way in conducting and participating in a smooth and successful virtual public hearing.