

FROM THE PLANNING COMMISSIONERS JOURNAL

Now that You're on Board:

How to Survive ... and Thrive ... as a Planning Commissioner

by Elaine Cogan



Now that You're On Board

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About the Planning Commissioners Journal

The *Planning Commissioners Journal* is a quarterly publication for citizens across the U.S. and Canada interested in local planning and development issues.

The *PCJ's* columns and articles provide clear and concise introductions to key planning & zoning topics. Effective planning boards and commissions depend on well-informed members. The goal of the *Planning Commissioners Journal* is to provide information that will help citizen planners better understand the challenging issues they face.

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Introduction

Since 1991, Elaine Cogan has been sharing her wisdom and experience with *Planning Commissioners Journal* readers in her column, “The Effective Planning Commissioner.” Elaine has tackled a wide range of subjects with common sense and practical advice.

A few years ago, we asked our columnists what their single most important piece of advice for planning commissioners would be.

Here's what Elaine (succinctly, as usual) had to say: “Know yourself first, but put yourself last. What does that mean? Be self-critical, aware of your biases and preferences in terms of the issues the



planning board faces. After you know and understand yourself, be willing – if needed – to set personal opinions aside to serve the best interests of your community.”

Inside you'll find 25 practical tips for planning board members, some condensed from Elaine's past columns, others new. We hope that Elaine's insights – along with the sidebar comments from a number of citizen and professional planners – will help you not just “survive,” but “thrive” on your planning commission.

Wayne Senville – Editor, *Planning Commissioners Journal*

Now that You're on Board:

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Editor's Note: inside you'll find references to articles by Elaine Cogan and others published in the *Planning Commissioners Journal* (the *PCJ*). To save space, we've abbreviated these references to include the article's title and the *PCJ* issue number in which it was published. Most articles are available to download for a small charge from our PlannersWeb site: www.plannersweb.com. To locate an article, just enter its title in the Search box.

New to the Board

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How you deal with it is an important measure of your effectiveness.”

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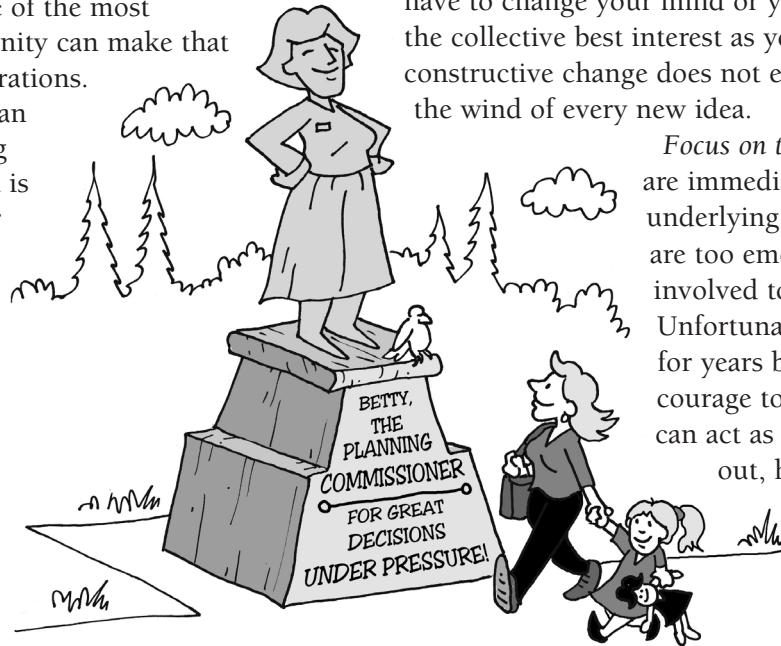
Controversial Issues: A Natural Part of Planning

There probably is not a community in this land that has ever thought of erecting a statue in honor of a planning commissioner!

As unrecognized men and women, you should be proud of your contributions to some of the most important decisions a community can make that broaden its horizons and aspirations. Unfortunately, controversy is an inevitable part of the planning process. How you deal with it is an important measure of your effectiveness.

If you do not lose sight of the fact that you are a member of the community and keep tuned in to its priorities, you should not be surprised when an action or potential one becomes controversial.

Deal with likely contentious issues early. Meet with



citizens informally in their neighborhoods or service clubs, city hall, or town library, and bring along staff to explain any technical aspects. Listen actively to what people tell you, giving them many opportunities to air their views in non-confrontational situations.

Do not make any promises you cannot deliver. Consider citizen comments carefully, but do not necessarily feel you have to change your mind or your vote if it is based on the collective best interest as you see it. Being open to constructive change does not equate with bending with the wind of every new idea.

Focus on the real issues. There often are immediate concerns and underlying issues – and some citizens are too emotional or personally involved to see the difference. Unfortunately, some problems fester for years because no one has the courage to tackle them directly. You can act as the catalyst to sorting them out, helping make needed short-range decisions, and agreeing on a process for dealing with the others.

The most effective commissioners are comfortable with their roles as laypeople who make planning decisions. They understand the technical aspects of what they are required to do while still bringing “real world” experiences and concerns to the table. After listening to all sides, your ultimate challenge when dealing with controversy is to feel comfortable with your decision,

even if it is unpopular, and then to do all you can to ensure that animosities and disagreements do not linger once the decision is made.

It should not require accolades to give you satisfaction that you are an effective and important bridge between the public and the sometimes esoteric, puzzling, and even controversial world of planning.

A Nose for NIMBYs

“Don’t worry if you are missing your favorite science-fiction show to conduct a public hearing at the Planning Commission. You may be lucky enough to see shape-shifters in real life. If you are considering a land use change that will affect a residential neighborhood, perfectly normal, rational people will grow fangs and acquire the ability to spit fire.

Changes in the neighborhood spark a primitive reaction in defense of home and family. As a planning commissioner, you need to keep your cool when confronted by angry neighbors, and recognize the difference between legitimate concerns and irrational fears. You need a nose for NIMBYs.

Your job is to look out for the whole community: townhouse dwellers as well as single family residents, and people living on through streets as well as those who want to live on dead-ends and put the traffic on other streets.

Ask questions or have staff find the information you need to evaluate the concerns. Is the traffic going to be greater than the standards for the street? Is the proposed land use so noxious that it would reduce property values, or is it simply something different from what’s there? Were the ‘promises’ made

by a city representative or by a realtor? If the concerns don’t hold up, don’t feel guilty about voting in favor of the project.

NIMBYs can have their positive side. No one else is so highly motivated to do research into the issues and the history of the area. Sometimes in their quest to stop a project, people will uncover information that does help your decision-making. Sometimes there’s an alternative that makes more sense. If these concerns have substance, respond to them; don’t treat a project as a ‘done deal.’

It’s easy to feel sorry for the beleaguered neighbors and do something that’s not in the interest of the community as a whole. It’s also easy to react the other way and dig in your heels in response to annoying and pushy people, just to show them you can’t be bullied. Try to separate the personalities from the substance of what they’re saying.

With a good nose, you will be able to tell when people cease making legitimate points and slide into NIMBYism. Make a note of the good points, and ignore the rest.”

From Chris Robbins’ “A Nose for NIMBYs,” in PCJ #51

Show Respect to All

As a planning commissioner, you have the obligation to be polite and fair to all the citizens in your community: newcomers and oldtimers, people you agree with as well as those you would never invite to dinner.

Though the worst personal traits often come out at public hearings, people are not necessarily wrong just because they are angry, obstreperous and noisy, do not speak English well, or are confused about bureaucratic procedures. As annoying as they may be, try to overlook these so that you can understand and respond to the substance of their comments.

It is important that you show respect to the questioner even when you doubt the question. People ask stupid questions ... hostile ones ... tough ones ... all of which you and your colleagues should answer as well

as you can, but always respectfully. Sometimes, you and a citizen will have to “agree to disagree,” but you should never show anger or lose your temper.

Whenever you are holding a public hearing or meeting, it is important to be aware of the nonverbal clues, behavior, or habits that may seem to indicate your inattentiveness or rudeness. You send a negative message to the public when you slouch in your chair or lean back so far you appear to be bored or dozing.



Likewise, they may be suspicious about what you are going to do with all your notes if you scribble constantly. Sit up straight, look at the person speaking, nod affirmatively, and otherwise show your interest. This becomes more difficult the later the hour, just the incentive you may need to call a halt to the proceedings and start fresh another day.

Do not chat with other commissioners or staff when a member of the public addresses the commission. While you may be discussing the subject at hand or have another legitimate purpose, you appear to be dismissing what the public has to say without really hearing it. Another habit to avoid is drumming your fingers or a pencil on the table



“Please add the annoyance of commissioners (or applicants or staff) who do not turn off their cell phones. There is nothing more disruptive than to have a commissioner conduct a telephone conversation, or walk out of the room to take a call, when an applicant or the public is trying to present their points. It falls under the category of side conversations. It is disrespectful.

A less frequent annoyance is the rolling break. When the hearings get long and go into late hours, take a break and let the public know it. Commissioners have sometimes stepped out individually to get food or go to the restroom. That is not fair to the public. They want your undivided attention.”

—Michael Dove, St. Petersburg, Florida

When They Speak Do You Listen?

“A clear clue that their minds are made up and the so-called ‘discussion’ is a farce is when planning commissioners read remarks obviously written beforehand.”

From Elaine Cogan’s “There’s Help for Dysfunctional Meetings,” in *PCJ* #17

“Don’t indicate by word or action how you intend to vote during the portion of the hearing devoted to presentations by the applicant, presentations by any persons appearing in objection, and comments by members of the staff. During this period your body is the judge and the jury and it is no more appropriate for you to express an opinion as to the proper decision, prior to hearing all of the testimony, than it would be for a judge or jury member to announce his firm conviction in the middle of a court trial regarding the guilt or innocence of the defendant. This is not clearly understood by a majority of persons sitting on hearing bodies.

It is not too difficult to phrase one’s questions or comments in a manner that implies that you are seeking information rather than stating an irrefutable fact and that your mind is closed to further argument.”

From “The Riggins Rules,” in *PCJ* #13

as if you are impatient to get this all over with.

These are some of the most common forms of annoying or distracting behavior. You may know others. The important point to remember is just as you want to be treated with respect, the public deserves no less when dealing with you and the other board members.

Ask Questions Until You Get Answers

It is midway through a rather routine planning board meeting. Until now, you have been considering issues that seem to be of more concern to technicians than to the public. Suddenly, you perk up. Next on the agenda is a presentation from an out-of-town developer, flanked by an articulate architect and well-connected local lawyers.

After a few formalities, they turn on their electronic show and urge you to approve the plans for their proposed development – today. Wow! The streets never looked as attractive, the kids never happier, the sun never brighter as in their digitally-enhanced pictures. Their spreadsheets, pro formas, and



other data also seem overwhelmingly positive.

Do not be surprised when applicants present their proposals in the best light. That's their job. Your responsibility as a planning commissioner is to get to the facts behind the pretty pictures and enticing words.

Avoid being overwhelmed by highly polished presentations. The color slides are enticing ... but there are no trees on the property today and the ones they show are twenty feet tall. What will the project really look like next year or the year after? Do the math yourself. After adding up the square footage of all the condos they anticipate, is the development more dense than their figures suggest?

Speak up. Ask questions.

Do not be pressured into making a precipitous decision even if the applicants earnestly plead for action now. They may say that their option on the property is running out or the financing is in jeopardy. Perhaps another community is begging them to locate there and yours needs more economic development. Resist the

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blandishments or threats. Your sole concern should be your community's interest, not theirs. None of these are reasons to make a decision ... either to approve or deny in haste. But neither is it fair to prolong the matter unduly.

Pressure to make a decision may come from others in the community, not just the applicant. Opposing citizens

Ask the Hard Questions

"My favorite is, 'Is this just your idea, or do you have any evidence to back it up?' No category of comment is more common at a zoning hearing than unsubstantiated 'fact.' Comments like, 'It will decrease my property values,' or 'The traffic impacts will hardly be noticeable' will plague you all your days. Sift through the testimony for relevant planning information corroborated by evidence. Keep in mind that aside from expert witnesses, and without evidence, one person's opinion is just about as valid as another's. Be fair, but be discriminating in what you choose to accept as truth."

From Steven R. Burt's "Being a Planning Commissioner," in PCJ #24

Rational Evaluation



"Elaine Cogan highlights the difference between rational and peripheral evaluation. Commissioners engaging in rational evaluation carefully consider the facts and arguments, assess the reasoning, and then reach a logical conclusion about the merits of the project. Rather than risk information overload, however, many people engage in peripheral evaluation, looking at external factors such as whether the speaker is likable or the presentation is impressive to decide whether to reject or accept the assertions being made. One of the most dangerous peripheral conclusions for a commissioner to reach: presuming that since 'everyone' seems to hate the proposed development, it must be a bad project."

—Debra H. Stein, President, GCA Strategies, San Francisco

may pack the meeting, wearing buttons or waving placards. They may disparage the applicant's claims and urge you to "just say no." They are as entitled to their say as is the applicant.

Use your staff as a resource. But if the project is complex and your staff does not have the expertise to answer all your questions, consider hiring a consultant for a neutral, professional review. It is worth the expense. Be sure to visit the site, ask your questions, get the answers, and then be willing to make a decision. Earn respect by insisting on and acting in the public interest.

Be Open to Verbal as Well as Written Information

Most planning commissioners are inundated with piles of documents, many written in legal or planning jargon. While you cannot act responsibly if you do not read this material carefully, you shortchange yourself if you base your opinions only on written information. You can add richly to your store of knowledge if you are willing to exchange ideas freely – among commissioners, between commissioners and staff, and with the public. However, the benefit from such verbal interchange can be impaired if you do not listen with an open and receptive attitude.

Do you “really” hear all sides? Do you automatically assume



that a developer is motivated only by greed when he proposes to cut down an ancient tree, or that an environmentalist has no concerns about economic growth when advocating saving a wetland? A “guilty before proven” attitude prevents you from understanding others’ points of view and adding to your understanding of complex issues.

Does your body language reveal your real thoughts? There are many non-verbal ways to express yourself that belie “nice” or friendly words. Among these signals are frowning, rolling your eyes, and inattentiveness. If your actions do not complement your words, people may become resentful and angry, thus preventing free and open dialogue.

Do you state your opinions so strongly that you discourage others from disagreeing? In most conversations, you gain an advantage if you use a conciliatory tone of voice, such as, “It seems to me,” or “As I look at the situation.”

Do you and the other commissioners sincerely welcome and encourage citizen input ... or do you really wish they would all just go away and let you tend to the business to which you were appointed?

There may be times you have to express your position in unequivocal terms, but if you are willing to be open-minded, most often people will listen and take notice when you do feel strongly or uncompromisingly about an issue.

Is your tone of voice sarcastic or angry?

No matter what you say, how you say it is very important. Avoid talking in such a way that others will feel compelled to side with someone else just because you are insulting or demeaning.

Are you reluctant to say, "I don't know"? These three little words show you are willing to admit fallibility and take responsibility for it. To have genuine credibility, however, the admittance should be followed up



Listen!

"Listening well means putting your own thoughts on the shelf (for a time) and concentrating all of your energy on understanding someone else. It isn't necessary to agree with them, but it is important to be accepting and approachable."

From Ilene Watson's "Listen!" in PCJ #51

"Don't interrupt a presentation until the question period, except for very short and necessary clarifying remarks or queries. Most applicants have arranged their remarks in a logical sequence and the thing about which you are so concerned will probably be covered if you can force yourself to be quiet for a few minutes. You can wreck his whole case by a long series of unnecessary questions at the wrong time. He will be your enemy forever."

From "The Riggins Rules," in PCJ #13

with, "But I will find out for you." Then, make sure you do. *Do you hold a monologue or a dialogue?* This is perhaps the most important aspect of good communication. In a true dialogue, you listen carefully to what the other person is saying and respond appropriately. It is still another signal you realize you are not always the repository of truth and goodness.