

From: [Rosenson, Valerie](#)
To: [Emmett, Kathryn](#); [Isidro, Judith](#)
Cc: [Quinones, Matt](#)
Subject: Legal opinion re: Participation in Appeal of Zoning Board change to Zoning Regulations
Date: Friday, May 25, 2018 3:51:06 PM
Importance: High

Director Emmett –

The Board of Representatives anticipates receiving an appeal under C6-40-9 in the next few days concerning text change to the Zoning Regulations by the Zoning Board. The Board has always taken the position that a member of the Board who participated in the process before the Zoning Board is not able to participate in the appeals process. In reviewing the records of the Zoning Board on this matter, it appears that one member of the Board did speak in opposition to the text change at one of the public hearings. Can you please provide a legal opinion regarding the extent to which a member who has spoken at a public hearing before the Zoning Board can or cannot participate in the appeal process and the vote by the full Board on the same matter?

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