

To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Maureen,

The proposed language of the new section 6(C) seems fine. As I am sure you understand, there are some attorneys who do not support the idea of planning board members doing any internet research. My view is that the planning board should rely as much as possible on the litigants to present the board with information it feels it needs to make a decision. However, I do not think there is any absolute prohibition on such research occurring. To minimize the potential of perceived bias, and to ensure that any information the board considers is on the record and available to the litigants so that they can respond at a meaningful time, there should be a process to keep these efforts open and fair. I think the approach articulated in the draft language should be adequate to address that issue.

Let me know if I can provide any further guidance.

Regards, John

From: Maureen O'Meara [mailto:maureen.omeara@capeelizabeth.org]

Sent: Wednesday, December 10, 2014 8:49 AM

To: John Wall

Subject: Re: Comments on proposed PB rules of procedure

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