

Subdivision Sketch Plan Quasi-Judicial Meeting Information Sheet

- A **neighborhood meeting** is required for all Subdivision Sketch Plans.
- Subdivision Sketch Plans go to the **Huntersville Planning Board for a recommendation** and to the **Huntersville Town Board for action**.
- All subdivision Sketch Plans in Huntersville are handled as **quasi-judicial** evidentiary hearings at the **Town Board** meeting.
- As a quasi-judicial hearing, all testimony provided is **sworn under oath**.
- The Huntersville Town Board **cannot** speak to the applicant, town staff, or anyone else on the subject **except under sworn testimony at the hearing**. It is recommended the Planning Board also observe this practice.
- The burden of producing **competent, material, and substantial evidence** establishing the proposed subdivision sketch plan **meets or does not meet** all applicable zoning/subdivision standards is on the person taking that position.
- Only persons who have **standing** in a particular subdivision sketch proposal will be recognized as a party to the hearing. Other interested persons who do not have standing may testify but will not be allowed to offer opening or closing statements, call witnesses, or cross examine witnesses.
- Below is a guideline as to who would be considered as having **standing**:
 1. A person with a legal interest in the subject property
 2. The applicant before the decision making board
 3. A person who will suffer special damages as a result of the decision (i.e. proximity to subdivision, typically adjacent; property value damage as determined by **expert** and not an opinion; secondary adverse impacts such as noise, traffic, stormwater runoff, as determined by an **expert** and not an opinion)
 4. An association organized to promote the interests of a particular area (i.e. homeowners association) so long as one member has standing
- Examples of **expert** opinion include a **qualified appraiser** when determining property value impact and a **transportation engineer** when determining traffic impact.
- Testimony provided at a quasi-judicial evidentiary hearing on which decisions are made must be **factual**, not **personal opinions**.