

FISHTOWN NEIGHBORS' ASSOCIATION ZONING COMMITTEE PROCEDURES

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A. TERMS

The following terms and their corresponding abbreviations appearing throughout this document are hereby named:

Term	Abbreviation
Fishtown	FT
Fishtown Neighbors' Association	FNA
FNA General Membership	GM
FNA Executive Committee	XCOM
FNA Zoning Committee	ZC
Executive Chair, Zoning Committee	EC
Chair <i>Emeritus</i> , Zoning Committee	CU
Information Officer, Zoning Committee	IO
Secretary, Zoning Committee	CS
Project Manager(s), Zoning Committee	PM
Program Office, Zoning Committee	PO
Zoning Committee Meeting	ZCM
FNA General Membership Meeting	GMM
Community Meeting	CM
Local Neighbors Meeting	LM
Large-Scale Development	LDEV
Small-Scale Development	SDEV
Zoning Board of Adjustments	ZBA
Licensing and Inspections	L&I
Zoning Committee Procedures	ZCP
Zoning Committee Waiting List	The List
Fishtown Recreation Center	The Rec

Table 1: Terms and Abbreviations

B. DEFINITIONS

The following terms appearing in this document are hereby defined:

Fishtown: The *Fishtown* section of Philadelphia shall be recognized¹ as encompassing the area within the boundaries of:

Delaware to Laurel Street; Laurel to Front Street; Front Street to Norris Street; Norris Street to Trenton Avenue; Trenton Avenue to Frankford Avenue; Frankford Avenue to York Street; [and] York Street to the Delaware River.

Adult: For purposes of this document, an adult is defined as any person aged 18 years or older.

Chair Emeritus (CU): Transitional position. The outgoing Zoning Committee Chair remains in place, as Chair *Emeritus*, for a maximum of three (3) months during the first three (3) months of the new Zoning Committee Chair's tenure. The expressed purpose of this position is advisory. The position is, by nature and definition, temporary and in place only to further smooth transition of leadership within the Zoning Committee.

Commercial Unit: One space zoned as retail, commercial, light commercial, or industrial, regardless of income-, age-, ability-expectation level or lease terms for occupant.

Community Meeting: Any meeting [1] open to all Fishtown neighbors and [2] concerning a project of community-wide impact and/or information of community-wide importance, [3] usually, but not exclusively, having to do with zoning issues.

Community Voter: Any eligible voter as defined in Section B of this document who can verify that [1] s/he lives within the boundaries of Fishtown as stated above, *but [2] who has not already been determined to be a local voter for a given project.*²

Developer: Any legal person(s) who wish(es) to initiate a development project, 'development' *per se*, as defined herein.

Development: Any construction or renovation that involves, **by definition**, [1] the altering, expanding and or changing of either the interior or exterior of an existing edifice, and/or [2] the erecting of an edifice on any otherwise recognized, recorded and/or zoned parcel found within the boundaries of Fishtown, as herein defined.

Eligible Voter: See [Eligible] *Individual Voter* and [Eligible] *Business Voter*, each as defined below. Also see *Valid Vote*.

[Eligible] Business Voter: Any legally established business which is: [1] physically located within the boundaries of Fishtown as defined herein and/or [2] which maintains its business address within the boundaries of the same.

¹ See Figure 1: FNA Boundaries on page 20

² Such voter-category determinations are made on a per-project basis and are dependent directly on the exact location of the project itself in question.

[Eligible] Individual Voter: Any adult who [1] is a Fishtown resident and [2] wishes to participate in a vote.

[Executive] Chair of Zoning Committee (EC): Head of the Zoning Committee, and chief project manager. Answers directly to, and is a part of, the [FNA] Executive Committee.

Executive Committee (XCOM): Executive Committee of the Fishtown Neighbors' Association, consisting of its officers and the chairs of each sub-committee, including, for purposes of clarification in this document, the [Executive] Chair of the Zoning Committee.

Experts/Invited Guests: Outside experts and other guests (councilmen, police officers, EPA officials, etc.,) who are invited [to a meeting] to [1] provide needed background, [2] offer valuable insight, or [3] offer their expert opinion on a given project.³

'Good Standing': [Member(s) in]: Any FT resident or business owner who [1] pays the proper dues as stated in the FNA Bylaws and [2] maintains such dues current. Members in good standing are eligible to be members of the Zoning Committee and/or to hold any office on the same.

Large-scale Development: Any FT development project that meets one (1) or more of the following criteria:

- [1] Consisting of more than four (4) residential units⁴
- [2] Requiring a height variance, regardless of the number of units
- [3] Intended as industrial or commercial
- [4] Intended for a designated:
 - 'brown-field site',
 - an otherwise known contaminated site, or
 - any site suspected of the same.⁵

Local Neighbors' Meeting: Any meeting concerning an **intra**-neighborhood project of [1] only limited neighborhood impact and/or information and [2] usually, but exclusively, having to do with zoning questions or issues. Only projects defined as 'small-scale development' *per se* can be deemed to require a local meeting. For purposes of neighbor notification, the definition of *local voter* is also in use.

Local Voter: A *local voter* is defined by the ZBA as 'any resident who lives within 500 linear feet (approximately 1 city census block) of a project's location'.⁶ In an effort to be inclusive of neighbor opinions, the ZC shall expand this definition to include: [1] 500 linear feet in **either direction** in the case of a project being proposed for a corner property and [2] any properties on adjacent streets.

³ Such information may be in the form of an oral or printed presentation, a written commentary/statement, or any combination of the same.

⁴ The Zoning Committee shall work with Large-scale Developers regarding voluntary contributions to the FNA for such areas as: neighborhood beautification, recreational facilities, senior programs and the like.

⁵ Any site which has been cleared as a potential contamination problem, both through proper testing, and clearance by the proper governmental agencies, and which does not meet any of the other remaining three (3) requirements so as to be designated a large-scale development *per se*, may be consequently re-classified, for purposes of zoning committee projects, as a small-scale development.

⁶ This determination is made by the ZC on a per-project basis, and is directly dependent on the exact location of the project itself. In the case of larger, intra-neighborhood development projects, the ZC reserves the right expand this definition as needed on a per project basis, but not to contract it, in accordance with neighborhood notification criteria as established by the ZBA.

Neutral [Body]: For purposes of both [1] the creation this document and [2] the transparent, unambiguous and unimpeded functioning of the Zoning Committee, the ZC itself is defined herein as a neutral body. That is, the ZC has neither the mandate nor power to assign to any project a value judgment, either positive or negative, of any kind.

Proof of Voter Eligibility: A potential voter must be able to show [1] a **valid** form of picture identification **together with** [2] evidence that s/he currently resides within the boundaries of 'Fishtown', as it is defined in Section B of this document.

Residential Unit: One living space, zoned residential (house, flat, condo, apartment, penthouse) regardless of income-, age- or ability-expectation level for occupant.

Rip-vote Process: Writing instrument not required in order to vote. Each voter tears into the letter [Y" or "N"] printed on his/her ballot, indicating his/her choice. Process for use in all FT CMs and LMs.

Small-Scale Development: Any FT development project which is: [1] Residential; [2] of four (4) or less units **and** [3] neither requires a height variance nor [4] is situated on a contaminated site. That is, any FT development **which does not meet any of the four** (4) criteria for the definition of 'Large-Scale Development', as specified in Section B of this document.

'Sevening' Off [Voter Sign-In Sheets]: A standard procedure used in official counting methods. Lines on sign-in sheets are essentially closed off, so that the official tallies as recorded cannot be added to.

Simple Majority: For voting purposes, at CMs and LMs, **the greater number of votes cast—either in favor of or against a proposed project—shall constitute a simple majority**. Such a vote suffices to pass all motions and votes.⁷

Valid Form of Identification [Option 1]: Any **one** (1) piece from the following:

- (1) PA State-Issued, Non-Driving ID Card with a Fishtown address
- (2) PA State-Issued Driver's License with a Fishtown address
- (3) US Passport with a Fishtown address

Valid Form of Identification [Option 2]: Voters who cannot produce a piece of documentation from the above list, must produce [1] a **valid picture ID** (school, employment, insurance, US-Issued Legal Permanent Resident Card, US Passport, State-Issued ID, military ID, or other, with a former address) **together with** [2] a piece of current⁸ mail **addressed to him/her** at a valid Fishtown address.⁹

Valid Vote: One (1) card ballot, per eligible [individual or business] voter, per project. Valid Votes, *per se*, are determined to be any card which matches the card colors, patterns and/or symbols as distributed during check-in and which constitutes one of the following: [1] An unambiguous vote of 'Yes'; [2] An unambiguous vote of 'No'; [3] An unambiguous abstaining vote. No individual may cast more than one **valid** vote per project. No individual voter may be both a 'local' and a

⁷ The term 'simple majority' is defined in and employed throughout this document in order to standardize with current FNA GMM Procedures.

⁸ 'Current' *per se*, shall be defined by the ZC in conjunction with XCOM. A generally accepted and frequently used definition is within either sixty (60) or ninety (90) days of the date in question.

⁹ In an effort to ensure maximum community democratic participation, ZC members shall work on an case-by-case basis if necessary with any and all neighbors with personal id hurdles, in order to establish their voter eligibility.

'community' voter for the same project. Recognized business voters are permitted the equivalent of one (1) vote per establishment, per project. No business voter may be both a 'local' and a 'community' voter for the same project. No business may cast more than one **valid** vote per project.¹⁰

¹⁰ In the event that a business owner can prove that s/he is both (1) an eligible individual voter through residency and (2) an eligible business voter through ownership and location, then s/he will be permitted to cast a vote for each.

C. ZONING COMMITTEE PROCEDURES

1. ZCP Document: Scope and Purpose.

(a) The purpose of this document shall be to establish ***in procedure*** and set down in writing, systematic, orderly and transparent protocols for the formation, expansion and functioning of an FT Zoning Committee. Such protocols and procedures for said committee shall include, but not be limited to, the following:

- (i) Scope, Purpose and Limits
- (ii) Composition
- (iii) Officers
- (iv) Duties and Responsibilities for Members
- (iv) Ethical Conduct of Members

(b) In addition, the purpose of this document shall be to establish ***in practice*** and set down in writing, systematic, orderly and transparent protocols for:

- (i) FT resident verification and voting processes
- (ii) FT residents' participation in public debate at neighborhood meetings
- (iii) Zoning Committee representation both before, and/or in the name of, FT residents
- (iv) Zoning Committee representation to both Developers and other Outside Constituencies
- (v) Developers' and other Outside Constituencies' representation before, and/or in the name, of FT residents.

2. ZCP Document: Limits.

(a) It shall be recognized that this document:

- (i) Is considered to be one of STANDING RULES, and as such, may be subject to revision, amendment and/or change, in accordance with FNA procedure for the same,
- (ii) Such changes shall be brought to the attention of the XCOM, once instituted.
- (iii) Revisions shall be incorporated in the ZCP and the document shall be then **re-dated and re-issued**, both in print and on the web site.

(b) A current copy of the ZCP shall be present at all ZCMs and at all GMMs.

(c) A current copy of the ZCP shall be available on the FNA web site at all times.

D. TRANSITION INTO NEW COMMITTEE STRUCTURE

1. Scope and Purpose.
 - (a) In an effort to:
 - (i) Move forward the new zoning committee and its respective procedures,
 - (ii) Facilitate the involvement of interested potential members, and
 - (iii) Facilitate the informed participation of Fishtown neighbors
 - (b) The following procedure(s) shall be set in place, **effective September 1, 2006**, to effect the orderly, positive and productive expansion of the FT Zoning Committee.
2. Zoning Committee Membership.
 - (a) Any and all neighbors interested in sitting on the zoning committee shall become part thereof through a self-identifying, self-nominating process, and upon volunteering to be part of the ZC, agree to abide by the *Rules and Conditions for ZC Membership* as stated in Section E of this document.
3. Elevation to ZC Office.
 - (a) Elevation to all four (4) of the Zoning Committee offices shall be through democratic and transparent means, consisting of:
 - (i) Secret-ballot voting;
 - (ii) Simple-majority tabulation
4. Nomination to Hold ZC Office.
 - (a) Nominations for each of the ZC Offices shall be limited through:
 - (i) Self-nomination, or
 - (ii) Nomination by an FNA member **together with** clear acceptance of the same by the proposed nominee.
5. Process.
 - (a) The nominating-voting process shall begin with the office of Executive ZC Chair.
 - (b) The process shall be repeated for each open seat¹¹ in the following order, until each office is filled:
 - (i) Committee Secretary
 - (ii) Information Officer
 - (iii) Program Officer
6. ZC Staff Members.
 - (a) Remaining ZC members shall each, *de facto*, work towards assuming the responsibilities of *project manager(s)*.

¹¹ Upon ZC approval, one person may combine the duties of two offices.

7. Chair *Emeritus*.

(a) Purpose.

- (i) CU shall function in an **advisory** capacity to the Zoning Committee¹².
- (ii) CU shall work with zoning committee to aid in its understanding of zoning procedures, regulations, issues and the like.

(b) Mandate.

- (i) Approved by XCOM for the transition period. Answers directly to EC.

(c) Scope.

- (i) Chair *Emeritus* shall be asked by XCOM to remain in the aforementioned capacity for a period of no more than 3 months.
- (ii) At the end of such term, the four (4) officers of the Zoning Committee shall be free to exercise the option to ask Chair *Emeritus* to extend his/her tenure in the aforementioned capacity for up to an additional three (3) months, which s/he may either accept or refuse.

¹² See definition of 'Chair Emeritus' in *Section B* of this document

E. ZONING COMMITTEE: COMPOSITION AND MEMBERSHIP

1. Purpose and Scope.

(a) The expressed purpose of the ZC, as much as reasonably possible, shall be to:

- (i) Gather information;
- (ii) Perform fact-finding;
- (iii) Both [1] function as the first point of contact for, and [2] represent the community to, potential developers and other outside interests; and ultimately
- (iv) Work with developers to [1] facilitate and [2] ready for presentation to neighbors, projects planned for spaces of a residential, commercial, or industrial nature, which fall within the boundaries of 'Fishtown'.¹³

(b) THE ZONING COMMITTEE SHALL BE A NEUTRAL¹⁴ BODY. The ZC shall have neither (1) the mandate nor (2) the authority to determine:

- (i) Which project/s may or may not be brought before the community;
- (ii) Which project/s may or may not impact Fishtown Neighbors or the Community;
- (iii) Which project/s may or may not be of importance to Fishtown Neighbors or the Community;
- (iv) If, and to what degree, a project may be either [1] detrimental or [2] beneficial to Fishtown.
- (v) Which projects may or may not be of community merit.

2. Structure and Composition.

(a) The ZC shall be comprised of members in the positions as outlined in Section E of this document:

- (i) Four (4) Officers:
 - [a] Executive Chair
 - [b] Committee Secretary
 - [c] Program Officer
 - [d] Information Officer
- (ii) ZC Members:
 - [a] Project Managers
 - [b] Staff Members

3. Duties and Responsibilities.

(a) Executive Chair (EC): Answers directly to XCOM and is a member thereof. Reports on and is ultimately responsible for all ZC activities. Oversees work of PMs and is responsible for PM workload/flow. Signs off on letter to ZBA. Elected annually by ZC members in January [after the January GMM] and is subject to approval by XCOM. Chairs Second-Tuesday ZCM and any other special zoning-related meetings to be held.

¹³ 'Readiness to present' *per se* shall be deemed in accordance with *Developer Information/Presentation Check-List*, to be developed by the Zoning Committee itself. Developers not meeting such criteria shall not be permitted to come before the neighbors, either in a CM or an LM.

¹⁴ See definitions of 'Neutral Body' as provided in *Section B*.

(c) Committee Secretary (CS): Takes accurate minutes of all ZC meetings and distributes them to all members in a timely fashion. Responsible for updating ZCP in print and on web presence. Responsible for choosing alternate in his/her own absence. Responsible for archiving all information on each project including vote tallies.

(d) Program Officer (PO): Responsible for maintaining master calendar of all dates, times and deadlines, both internal and external, of importance to ZC. Schedules all developers for Second-Tuesday ZCM. Schedules all ZCMs. Answers directly to EC. Responsible for approving developer to be scheduled for CM. Chairs ZCM in the event of scheduling conflict for, or recusal of, EC.

(e) Information Officer (IO): Liaison to FNA PR person. Solely responsible for disseminating accurate and timely information regarding any/all matters deemed by ZC to be of neighborhood interest. Must also submit copy to ZC for review before submission to PR person. Answers directly to EC.

(f) Project Managers (PMs): ZC members who serve as direct liaisons to developers.¹⁵ Responsible for gathering all necessary information, introducing developers/project at both ZCM and CM. Responsible for drafting and submitting draft of ZBA Letter to ZC for review and revision. Report to EC.

(g) Staff members: Additional members of the ZC who are in training to become PM's and who assist in all other practical and/or administrative tasks of the ZC.

4. Membership on Zoning Committee: Conditions and Responsibilities.

(a) All participants in the ZC shall be drawn **only from FNA members in good standing**¹⁶.

(b) All ZC members shall abide by the following conditions of membership:

- (i) All participants, in assuming ZC membership, agree to be present at each of the monthly ZCMs and to accept and execute the duties of the positions assigned to them, as defined in the ZCP, including their presence at CMs when required.
- (ii) ZC membership shall be, and remain on, a purely voluntary basis.

(c) Maximum Length of Service on ZC: Four (4) years.

(d) Members shall be free to step down at any point prior to the maximum allowable time limit for service.

- (i) Barring exigent circumstances requiring a ZC member's need to immediately remove him/herself from the ZC, members wishing to step down shall be asked to notify the EC in writing of such a decision, with [1] a minimum of 60 days prior notice and preferably [2] no pending projects under their supervision.

(e) Removal from Zoning Committee: Conditions.

- (i) Any ZC member who:
 - [1] Misses more than three (3) regularly scheduled ZCMs within a calendar quarter; or
 - [2] Misses a CM for which s/he is required to be present, without prior notification

¹⁵ Two PMs shall be assigned to large-scale projects, when necessary.

¹⁶ See definition of 'In Good Standing' in Section B.

Shall be asked to tender in writing his/her immediate resignation.

5. Recusal from Project Management.

- (a) All ZC members shall be cognizant of their duty to work towards and to uphold, the principles of ethics and transparency surrounding both FNA zoning and voting processes.
- (b) To that end, all ZC members shall adhere to the following criteria for recusal set forth below:
 - (i) No ZC member shall be a project manager on any project put forth by any person/s or group with whom ZC member [a] maintains a personal relationship or [b] is professionally involved.
 - (ii) Conversely, no ZC member shall be a project manager on any proposal put forth by any person/s or group with whom ZC member is in direct professional competition.

6. Inherent and Serious Conflict(s) of Interest.

- (a) The ZC shall strive to err on the side of caution when determining potential conflicts. To that end, ZC members shall be aware of the following *per se* conflicts of interest with ZC Membership:
 - (i) The [1] offer of, [2] solicitation of, or [3] acceptance of remuneration for ZC service, either direct or indirect.
 - (ii) Acting as Power of Attorney for any Developer doing business in Fishtown.
 - (iii) Acting as a Notary Public or legal witness of any kind for the same.
 - (iv) Acting as an Accountant, or otherwise as a tax preparer or representative before any tax authority for the same.
 - (v) Acting in any other capacity as an Advocate, either paid or on a voluntary basis, before any other local, state or federal agency or authority for the same.
- (b) Any and all activity as stated above shall be deemed to directly constitute an [1] inherent and [2] serious conflict of interest on the part of any ZC member engaged in the same.
- (c) Any ZC member found engaging in any of the abovementioned activity shall be asked to tender his/her **immediate resignation**.

7. Procedures for Committee Member Recusal.

- (a) Any ZC member with a potential conflict of interest is responsible for bringing said potential conflict before the committee, **before** business with the developer(s) in question begins.
- (b) A ZC member shall **publicly** [at the ZCM] recuse him/herself, based on the information regarding said project and the developer(s) involved available to the ZC member at the time. The ZC member shall recuse him/herself **before** the new project in question is assigned.
- (c) Determinations regarding conflict of interest that are not clean-cut shall be brought to a vote at the ZCM.
 - (i) A simple majority shall determine whether or not a conflict is deemed to exist.
 - (ii) The ZC member shall abide by such decision.

- (d) In the event that a ZC member becomes aware of a potential conflict of interest *after being assigned to a project*, s/he is obliged contact the EC straight away. A new project manager shall then be assigned.

8. Recusal from Meeting Chairmanship.

- (a) The EC shall recuse him/herself from chairing any ZCM for which the same conditions as stated above apply.
- (b) Cognizant of the leadership position that s/he holds respecting the ZC, the FNA and the Neighbors themselves, the EC shall in addition:
 - (i) Recuse him/herself from chairing any CM or LM for which the same conditions apply, in accordance with the procedure set out in *Section E* of this document.
 - (ii) The EC shall notify both XCOM and the PO when s/he is recusing him/herself from chairing a meeting.

- (c) Substitute chairing of a ZCM, CM or LM shall be effected by the PO, in accordance with the procedure set out in *Section E* of this document.

9. Zoning Committee Meetings.

- (a) In the interest of maximizing [1] transparency and [2] neighborhood participation, ZCMs shall be open to **any and all FT neighbors, irrespective of either ZC or FNA membership.**

- (b) In the interest of transparency and neighborhood participation, ZCMs shall take place regularly, scheduled on the Second-Tuesday of each month.

- (c) In an effort to maximize local neighbor notification, ZCMs shall be posted in all the community papers (*The Star* and *The Spirit*) to the greatest extent possible.

10. Zoning Committee Reporting Procedures.

- (a) At every GMM the Zoning Committee shall provide a written briefing of all upcoming zoning neighborhood and community zoning meetings.

- (b) Said report shall be available for distribution to general meeting attendees and shall include the following information:

- (i) The address of the property
- (ii) A brief description of the work being proposed
- (iii) The name of the developer/architect, etc.
- (iv) Type of meeting (*i.e.*, informational, voting, or both)
- (v) Whether such meeting is [1] local or [2] community-wide
- (vi) The date, time, and location of said meeting

- (c) The ZC shall make him/herself available at the GMM for follow-up questions and points of clarification on the monthly briefing, as time and XCOM President permit.

F. COMMUNITY MEETINGS

1. Scheduling.

- (a) In an effort to maximize community knowledge and participation, CMs shall be both regularized and standardized when and wherever possible.
- (b) In an effort to allow sufficient public debate on projects, two CMs shall be held each month whenever possible, except when not required by project demands.
- (c) In an effort to facilitate maximum neighborhood turnout, CMs shall be scheduled on the **1st Monday and 3rd Tuesday of each month**, and shall begin at 7:00 pm.
- (d) In an effort to promote general accessibility, CMs shall be held in the main gym of the Fishtown Recreation Center whenever possible.

2. Neighborhood Notification:

- (a) In an effort to maximize community notification, CMs shall be posted in community papers (*The Star* and *The Spirit*) to the greatest extent possible.
- (b) In an effort to maximize community notification, CMs shall be posted on all FT web sites.

3. Voter Verification Process.

- (a) All neighbors wishing to vote must be determined to be 'eligible' prior to the commencement of each CM.
- (b) Voters are determined to be 'eligible' as one of the following¹⁷:
 - (i) Business Voter
 - (ii) Individual Voter
- (c) Each voter, whether business or individual, shall be determined to be either a 'local' or a 'community' voter for each project to be voted on.¹⁸
- (d) Persons who cannot demonstrate Fishtown residency or who do not wish to vote shall not be issued a voting card.¹⁹
- (e) Experts/Invited Guests: [Outside] experts and other guests (councilmen, police officers, etc.,) may be invited to a CM, in order to provide needed background or insight on a given project.
- (f) No such persons in attendance at a CM shall be given a card to vote, unless:
 - (i) S/he can prove that s/he meets the criteria established for voter eligibility as defined in *Section B* of this document.

¹⁷ 'Voter eligibility' is defined in Section B of this document.

¹⁸ The definitions of *local voter* and *community voter* are defined in Section B of this document.

¹⁹ In an effort to [1] reflect recognized democratic principles and [2] promote maximum neighbor enfranchisement in the FT voting process, ZC members shall endeavor to establish voter recognition for any neighbor with personal identification hurdles which might otherwise bar him/her from full and fair participation in the voting process.

(ii) In the interest of transparency, any such experts who are themselves Fishtown residents shall identify themselves as such before speaking.²⁰

4. Neighbor/Voter Check-In.

(a) Check-in of all potential voters shall take place in the lobby of the FT Recreation Center.

(b) Check-in shall commence at 6:30 pm. For projects expected to draw a particularly large group of neighbors, check-in shall commence at 6:15 pm.²¹

(c) Notification of additional check-in time shall be made through the proper channels as established in the ZCP (GMM meetings and publishing in newspapers).

(d) *Voter Sign-In Sheets* shall be employed to record eligibility of voters.²²

(e) For each eligible voter, four (4) necessary criteria shall be established:

(i) Voter's identity

(ii) Voter's Fishtown address as either [a] residential or [b] business

(iii) Voter's eligibility as either: [a] individual or [b] business

(iv) Voter's status as either: [a] local or [b] community

(f) Based on the above criteria, each voter shall be issued an appropriately colored card.

(g) This process shall be repeated if there are two (2) projects on the evening's docket. That is, voters who wish to vote on two (2) community-wide projects being presented shall be given two cards at check-in, one for each project.²³

(h) This sign-in process shall be exacted for each potential voter.

(i) All who wish to attend the CM shall be admitted, regardless of their status as either eligible or ineligible with respect to voting.

5. Proceedings.

(a) EC chairs CM.

(b) CS takes minutes.

(c) PMs are responsible for running CMs that correspond to their assigned projects. PMs for each project to be presented introduce both [1] the project and [2] its developers to the community.

6. Developer Presentations.

(a) Developers must come to CM prepared to project a *Powerpoint* presentation including floor plans, architectural drawings, footprints, aerials, lateral and side views, shade studies (where applicable), etc., as determined by and pre-arranged with Project Manager(s) and ZC.

²⁰ A Fishtown resident who has been invited to speak in a different or expanded capacity.

²¹ The ZC shall make this determination on a project-by-project basis.

²² See Appendix Two: Forms.

²³ Voters may not necessarily, depending on the scope and location of each project, be given the same color card for each project on the docket. Voter category (local versus community) is determined by the proximity of the voter's residence to the project in question, for all intra-neighborhood large developments.

- (b) No more than two large developers shall be permitted to present per CM.
- (c) Developers shall be permitted a maximum of twenty (20) minutes per project to make their presentations.²⁴
- (d) In an effort to increase visibility and audience interest, developers shall use the stage in the FT Recreation Center gym to present their projects.

7. Neighbor Participation.

(a) EC shall explain the following *Rules of Order* at each CM before beginning the public exchange.

(b) Rules of Order:

- (i) In an effort to [1] maximize courteous, informed debate, and [2] be sensitive to the needs of senior neighbors and others with auditory challenges, **microphones shall be used by all persons who wish to speak**, including but not limited to:
 - [a] Presenters
 - [b] Moderators
 - [c] Meeting Chairs
 - [d] Experts and Invited Guests
 - [e] PMs
 - [f] Neighbors
- (ii) All persons queue up to speak, with PM's holding microphone.
- (iii) A **maximum of two (2) minutes** per exchange is permitted.
- (iv) IO keeps time and cautions at 30 seconds by holding up a card.
- (v) Shouting/talking/ etc., from audience shall not be tolerated under any circumstances.
- (vi) **Impolite/unruly neighbors will be asked to leave.**

8. Order of Public Time.

(a) Person(s) speak on the record according to the following order:

- (i) Experts/special guests (who have identified themselves to the ZC prior or who have been invited to speak, *i.e.* Council people, police liasons, etc.)
- (ii) Those determined to be locals (must show local card when queuing up).
- (iii) Community members, as time permits.

²⁴ Developers must provide PMs with sufficient copies of *Powerpoint* presentation for distribution at the CM.

G. VOTING PROCEDURES

1. Ballot Make-up.

- (a) Two differently colored cards are in use for each project being voted on. Each color represents a type of voter, one color for those designated as 'local' voters and the other for those designated as 'community' voters.
- (b) Each voting card has both a 'Y' and an 'N' clearly printed on it.
- (c) Each voting card also has a symbol stamped on it. This symbol shall be pre-determined by PMs for said project, and serves to designate for ZC project being voted on.
- (d) EC then invites two elections monitors to witness the results, one from the [designated] 'local' group and one from the [designated] 'community' group.
- (e) Before the public time opens, the two volunteers identify themselves for the record and confirm that the vote collection box is empty by stating so into the microphone or that the only votes in it correspond to those that have been cast by members who left.
 - (i) Such votes shall then be counted for the record and placed back in the box to be factored in to the total vote at the time of tallying.
- (f) Rip-vote Process²⁵ shall be in use. Such a process shall be used in all FT CMs and LMs.

2. Voting.

- (a) At end of the public forum time:
 - (i) EC explains the 'rip-vote process' and invites neighbors to vote.
 - (ii) ZC members 'Seven-off'²⁶ the 'Voter Sign-in Sheets turn sheets in and vote.
- (b) ZC members shall take the ballots to a DIFFERENT ROOM to tally them and record the votes. EC remains in the gym, in charge of the meeting.
- (c) Neighbors may leave the GMM and return to the gym, but may not enter the room where tallying is being completed.

3. Vote-Counting and Tabulating Procedures.

- (a) Any neighbor who must leave before the conclusion of the meeting shall be welcome to cast his/her vote by placing his/her card(s) in the ballot-collections box before leaving.
- (b) No voter may cast more than one ballot per project presented.
- (c) A 'no tear' shall be **counted** as **abstaining**.
 - (i) Abstaining votes shall be gathered, counted separately and saved aside. Such cards shall not be thrown away.

²⁵ See definition of 'Rip-Vote Process' as provided in Section B.

²⁶ 'Sevening Off' shall indicate a close of the official voter registry for that meeting. See definition as per Section B and sample as in Appendix II: 'Forms'.

- (d) A 'double-tear' (both yes and no) shall be **discounted** as **invalid**.
 - (i) Invalid votes shall be gathered, counted separately and saved aside. Such cards shall not be thrown away.
- (e) Any cards turned in that do not match the card colors, patterns and/or symbols as distributed during check-in shall be **discounted** as **fraudulent**.
 - (i) Fraudulent votes shall be separated out and counted. Such cards shall not be thrown away.
- (f) 'Local Votes' shall be counted separately and statistics calculated.
- (g) 'Community Votes' shall be counted separately and statistics calculated.
- (h) Number of **valid** cards turned in shall be totaled and verified against number of eligible voters confirmed from the summation of sign-in sheets.

4. Voting, Tallying and Recording Procedures.

- (a) Voting results are recorded and signed off on by ZC members who performed calculations on each.
- (b) Volunteers are asked to sign off, indicating that they felt the count was fair. Observers are welcome to register observations and/or objections in writing. Such contributions shall be publicly noted for the record upon re-convening and announcing results.

5. Vote-Reporting Procedures.

- (a) ZC members return to the meeting room and turn written results into EC. Such results shall then be considered validated.
- (b) EC announces complete results.
- (c) Validated voting results shall be presented to ZBA in the form of a letter, together with all project-relevant information produced by developers and experts, and as gathered by ZC.²⁷ Chair turns official results over to IO for public dissemination.
- (d) Ballot- box is returned to EC, and verified empty for beginning of second project.
- (e) EC hands official written results to the IO to present to the local papers for publishing.²⁸
- (f) PM's in charge of project collect all voting data and preserve it in a manila envelope to be placed in the archive for the corresponding project, together with the official tally.
- (g) At this juncture, EC invites those neighbors who do not wish to stay for the second project presentation to leave. Those leaving shall turn in their cards. Such members are permitted to cast a vote if eligible before leaving and place their votes in the ballot-collections box.
- (h) Process is repeated for second project.

²⁷ Sample Letter, see Appendix Two: Forms.

²⁸ Upon agreement of local papers to publish such results. IO shall make such results available on all FT websites, regardless.

H. LOCAL NEIGHBORS' MEETINGS:

1. Purpose.

The ZC shall hold, when necessary, local neighbors' meetings, limited in scope and **expressly** for the purpose of hearing input from and informing neighbors of, small-scale intra-neighborhood projects being proposed on a site close to those neighbors.

2. Definition.

Any meeting centering on a project of only **limited neighborhood impact, import and/or information**, usually having to do with zoning issues.

3. Characteristics.

Only projects defined as 'small-scale development' may be automatically deemed to be a local meeting. For purposes neighbor notification, the definition of *local voter* shall be in use.

4. Check-in Procedures.

Check-in procedures for LM are the same as for CM voting, as per *Section F* of this document.

5. Neighborhood Notification:

(a) In an effort to maximize local neighbor notification, LMs shall be posted in community papers (*The Star* and *The Spirit*), *the same as for Community Meetings*.

(b) In an effort to maximize local neighbor notification, LMs shall be flyered in accordance with the definitions of 'small development,' 'local meeting' and 'local voter(s)'²⁹

(c) In an effort to maximize community notification, LMs shall be posted on all FT web sites.

6. Voting, Tallying and Recording Procedures.

Such procedures for LMs are the same as for CMs, as outlined in *Section G* of this document.

²⁹ See definitions of the same in Section B.

I. Appendix One: FNA Boundaries



Figure 1: FNA Boundaries

J. Appendix Two: Forms

David Auspitz, Chairman

Zoning Board of Adjustments
1515 Arch Street - 18th Floor
Philadelphia, PA 19102

Dear Mr. Auspitz:

RE: Neighborhood Meeting on Stackhouse Zoning Request

Project in Brief: On 1 August 2006, Stackhouse Developers LLC, (Phila. Business License No. 123456) submitted to the Zoning Committee (ZC) of the Fishtown Neighbors' Association (FNA), plans to develop into twelve (12) two-bedroom luxury condominiums in the 600-750 k. price range, the auto repair garage formerly operating as *Ver E. Ugly Gargage*. *Ver E. Ugly*, located on the NW corner of East North and South West Streets, ceased to operate as a viable business some 15 years ago, when Mr. Ugly Sr. passed away. For the past several years, neighbors have voiced concerns to local authorities as well as to the FNA on numerous occasions, about such issues as: Vandalism, the garage's worsening state of disrepair, the smell of gas, loitering and open alcohol containers around the building. *Ver E. Ugly's* owner, Mr. Ver E. Ugly III, a resident of Vorhees, New Jersey, is actively negotiating with Stackhouse regarding the sale of the property. The building is a three-story garage, currently zoned commercially, as C-3.

After reviewing the information submitted to it, the ZC had three (3) major points for follow up:

First, as petroleum products, often seen and smelt leaking, were stored and in use on the site for several decades, the ZC requested soil and ground-water testing be done on a grid across the property, the results of which to be made available to the ZC by Stackhouse before proceeding.

Second, Stackhouse was asked to re-examine the parking plans for the site to include, not only a 1:1 ratio of unit-to-parking space, but a ratio of 2:1 for each available light commercial space, an addition of four (4) parking spaces to the initial plans.

Third, Stackhouse was asked to add some green space to the project, in order to bring it into line with Fishtown specifications for such, as developed by the FNA Beautification Committee.

Stackhouse was asked by the ZC to return for a second meeting on 1 September 2006, at which time such modifications would be reviewed.

Stackhouse returned with the requested modifications and test results, as scheduled. Test results fell within EPA/DEPA acceptable levels, and Stackhouse consequently was cleared by the ZC to present their project to Fishtown Neighbors on 1 October 2006. Neighbors were notified, and the presentation, debate and voting took place as scheduled, all in accordance with FNA Procedures.

Stackhouse is seeking community approval for [1] a zoning variance to make the building four (4) stories, in order to accommodate a design of four (4) condos per floor (on floors 2-4); and **[2] a zoning change from C-3 to R-10**, in order to develop the first floor into light commercial. Stackhouse's plans, as presented to the community, are to pursue long-term lease agreements with: a dry-cleaner, a pharmacy, a certified public accountant and a video-rental chain for the first floor.

Stackhouse has indicated a commitment to pre-selling a minimum of 75% of the units before construction is completed. This is Stackhouse's first project in Fishtown; however, the firm provided the ZC with several references on projects done in and around the Delaware Valley, which the ZC factored into its due diligence and overall preparation on this project.

The Zoning Committee of the Fishtown Neighbors' Association therefore asks the Zoning Board of Adjustments to accept and consider the following documentation submitted to it on this the XX DAY of X MONTH, X YEAR, pursuant to the aforementioned matter:

EXHIBIT A: Results of Neighborhood Vote, taken on 1 October 2006

EXHIBIT B: Original Plans as submitted to ZC on 1 August 2006, bearing COP seal

EXHIBIT C: MODIFIED PLANS, as submitted to ZC on 1 September 2006, bearing COP seal and showing 1:1 unit-parking ratio and 2:1 commercial-parking ratio and approved green space.

EXHIBIT D: Publicized Announcements of Community Meeting

EXHIBIT E: Flyer distributed to local voters together with map indicating flyered area

EXHIBIT F: Results of soil and ground-water testing, together with EPA/DEPA review.

EXHIBIT G: *Powerpoint* presentation made to neighbors on 1 October 2006

EXHIBIT H: Synopsis of expert input: Sandy Salzman, President of New Kensington CDC and Lt. Knowles D. Hood, Community Liason, 26th Police District.

EXHIBIT I: Synopsis of community input IN FAVOR of Project

EXHIBIT J: Synopsis of community input AGAINST Project

EXHIBIT K: Results of ground water testing

EXHIBIT L: Complete shade studies

EXHIBIT M: Copies of materials supplied by Stackhouse Developers, LLC to Zoning Committee.

We thank the ZBA for its thoughtful and timely consideration of this matter and make ourselves available to the Board for follow up.

Respectfully submitted,

Justus S. Blaindt
Executive Chair, Zoning Committee
Fishtown Neighbors' Association

I. M. Houseman
Project Manager
Zoning Committee

Rock N. Hardplace
Project Manager
Zoning Committee

FISHTOWN NEIGHBORS' VOTER CHECK-IN SHEET

	NAME	ADDRESS	ZIP CODE	LOC	COM	BUS	N/E
1							
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Figure 2: Voter Check-In Sheet

FISHTOWN NEIGHBORS' VOTER CHECK-IN SHEET

NAME	ADDRESS	ZIP CODE	LOC	COM	BUS	N/E
1 Crystal STONE	1234 Fishtown Ave.	19125	X			
2 Rock STONE	1234 Fishtown Ave.	19125	X			
3 X. Bert SPEAKERMAN	EPA Washington, DC					X
4 Ken SINGTON-SOUTH	216 W. Master Street	19122				X
5 Buck DOE	2345 Frankford Avenue	19125		X		
6 Cash, Coyne & Buck, LLC	2347 Frankford Avenue	19125			X	
7 PRESSMAN'S DRY CLEANERS	456 E. Girard Avenue	19125			X	
8 Ben DOVER	789 E. Main Street	19125		X		
9 Lt. Knowle D. HOOD	26th Police District	19125				X
10 Ima WALKER	1236 Fishtown Avenue	19125	X			
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Figure 3: Voter Check-In Sheet (In Progress)

FISHTOWN NEIGHBORS' VOTER CHECK-IN SHEET

NAME	ADDRESS	ZIP CODE	LOC	COM	BUS	N/E
1 Crystal STONE	1234 Fishtown Ave.	19125	X			
2 Rock STONE	1234 Fishtown Ave.	19125	X			
3 X. Bert SPEAKERMAN	EPA Washington, DC					X
4 Ken SINGTON-SOUTH	216 W. Master Street	19122				X
5 Buck DOE	2345 Frankford Avenue	19125		X		
6 Cash, Coyne & Buck, LLC	2347 Frankford Avenue	19125			X	
7 PRESSMAN'S DRY CLEANERS	456 E. Girard Avenue	19125			X	
8 Ben DOVER	789 E. Main Street	19125		X		
9 Lt. Knowle D. HOOD	26th Police District	19125				X
10 Irma WALKER	1236 Fishtown Avenue	19125	X			
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Figure 4: Voter Check-In Sheet (Complete)