

Good evening. My name is Susan Smith and I appreciate this three-minute opportunity to share my concerns with you. Recently I watched the Paperhand Puppet Intervention's last production, *We Are Here*, and if you saw that show, you heard the entire audience loudly BOOOOO the developer when he summoned the large bulldozer onto the stage. But as you know, it is not that easy to say NO to developers and BIG MONEY when situations are more complicated. **Nevertheless, the spirit of resistance and preservation can always be an active element to guide development.**

Over the last few years, as an HDC commissioner, I've seen our town gradually losing the special character that defines it, one condemning decision at a time. And I see how the pieces in this puzzling effort are encouraging that to happen. **What lies ahead when the university plans destructive changes for historic Franklin Street? Where will you stand and what will you stand on?**

You probably know about the recent case before the HDC when that commission was reduced to six eligible voting members and legal council for the HDC told commissioners that five votes were required to make a decision. The valuable intention of that statute you created of course could not and did not envision every situation under which this statute should operate. Common sense, and more importantly the intent of the state statute, opined that to ask any board of six to generate more than a majority of votes, especially in complicated cases, was not just unreasonable: it was an unfair burden to carry. **So we are learning from that, the hard way, and not without significant consequences; ones that can be cited as precedent in the next case.**

Tonight I petition you to create an amendment that will modify this city statute immediately so that a majority vote can be used to uphold decisions made by boards when it is necessary. This amendment to the city statute is imperative now because the current HDC has only six members serving on it. **Rather than rush to fill the three vacancies with less than fully qualified members, please create this amendment so that the HDC's preservation work won't be further compromised.**

In closing, I think we can all agree that under unforeseen circumstances, every law or statute can lose its well-intended purpose. And we see how court cases are won or lost through mis-interpretations and loopholes. **So in my mind, the essence of the law ultimately rests on the shoulders of individuals who choose conscience over politics, integrity over rumors, and who lead with that spirit.** Thank you.