

**ROXBURY BOARD OF SELECTMEN  
SPECIAL MEETING**

**August 17, 2009  
MINUTES**

**CALL TO ORDER**

Barbara Henry, First Selectman, called the meeting to order at 7:30 p.m.  
Present: Barbara Henry, First Selectman; Robert Lowe and Russell Dirienzo, Selectmen; Robert Falconer, James Conway, Elaine Urban, Stewart Kellerman, William Weed and Mary Elizabeth Peck, Members of the Zoning Commission; Robert Munson, Ralph Wescott, Joseph Famighette and Steve Zaleta, Members of the Planning Commission; Gary Steinman, Mary Van Riper, Hugh Rawson and Cathy Masi, Members of the Conservation Commission; Dennis McDonald and Kimberlee Baron, Members of the Public; and Members of the Press.

**Board of Selectmen to meet with Conservation, Planning and Zoning Commissions to discuss combining Planning and Zoning Commissions, as well as electing Zoning Commission members.**

Barbara Henry explained that the purpose of this meeting is for the BOS and the Planning, Zoning and Conservation Commissions to discuss the recommendation of the Planning Commission in the Plan of Conservation and Development to combine the Planning and Zoning Commissions as well as elect Zoning Commission members. She noted that this meeting has been properly noticed and at this meeting they will not be taking public comment nor will they be making any motions. She reported that she has researched the proposal and found no issues with making the change. If they decide to move forward with the suggestion the ultimate vote regarding the matter will go to the public. They can ask the question on the ballot in November and would like to publicize the issue; thereby, allowing the public enough time to understand the proposal.

Russell Dirienzo explained that he wanted to know what the three Commissions thought about the proposal. He noted that he is not personally in favor of it, but can keep an open mind to the issue. He feels that the combination of the Planning and Zoning Commissions would amount to a lot of work for one Commission. Although he is not opposed to electing Zoning Commission members, he explained the BOS interviews volunteers to achieve a good mix of people on the Commissions who do not have an agenda.

Robert Lowe noted that he is in favor of how the Commissions are currently set up and that they should not look to fix what is not broken. However, he is also open to listening to what the Commission and voters want.

Ralph Wescott explained that the Planning Commission feels that an advantage of combining the Commissions would be to streamline the process for the applicant. It would be easier to come to a decision when issues arise as opposed to sending memos between Commissions. Barbara Henry confirmed for William Weed that she has not received any complaints from the public regarding time delay due to the current process.

Gary Steinman explained that the Conservation Commission is not in favor of combining Planning and Zoning because they would experience an overload of work. The applicants would take priority and other functions would not get done. The Conservation Commission has no position regarding the election of Zoning members, but feels if a change is to be made it should be done by machine vote. He noted that he has personally experienced the process and found the people involved to be helpful; however, suggested a unified application and that meetings should be scheduled in the order of the process. Russell Dirienzo agreed that larger towns have an expeditor who assists in the process. Roxbury has a ZEO who can approve routine applications and may be able to assist with Regulatory changes as well.

Robert Munson explained that in his experiences with other towns that combine Planning and Zoning it is simpler for the homeowner. The meeting may go a bit longer. He noted that the Plan of Conservation and Development is simple to maintain once it is developed. He explained that Planning has no power to make decisions with the exception of lot line revisions; therefore, Planning will not create much more work when combined with Zoning. They will be dealing with the same things, which can be handled well with several good members.

Robert Munson noted that Planning members are elected; therefore, Zoning should be elected as well. Elected positions are accountable to the voters. Volunteers are appointed by the Selectmen and the voters may like the BOS; however, may not be happy with the volunteers.

Barbara Henry explained that Zoning is appointed and Planning is elected per the Town Ordinances. She noted that this must have been determined when Zoning was created. There has never been a call for change until now. Robert Lowe noted that the efficiency intended to be gained would be lost if the combined commission was not the appropriate size. Robert Munson explained that the size of government is out of control and all areas are working to streamline now. Joseph Famighette agreed that a combined commission should not be too big. Barbara Henry noted that a combined commission would be between 5 and 10 members. Joseph Famighette explained that the separation of power would be okay; however, both commissions should be elected.

Ralph Wescott suggested that they should determine a clear plan to balance Planning and Zoning activities if they were to combine. James Conway explained that 80% of activities would be Zoning and about 20% would be Planning. Hugh Rawson suggested that Planning should be more active than they currently are. Many items could use additional attention. Barbara Henry noted that the Plan of Conservation and Development is an important advisory document of which a lot has been implemented.

Ralph Wescott summarized by noting that by combining the commissions both the applicant and Town receives the advantages of the streamlined system. The applicant's fees are reduced. Communication is facilitated; thereby, increasing both the speed of communication and face to face value of communication.

Barbara Henry reported that there has not been an outcry for this change. She noted that one person from the public has come forward and Planning has made the suggestion. The issue has been reported on in the newspaper, yet still she has not received much input from the public.

Stewart Kellerman explained that as an Independent he would be reluctant to run or be endorsed by either party. He would have no chance without a costly campaign if opposed. He is not a politician and would not foresee himself having the opportunity to serve on the Commission.

Elaine Urban explained that Zoning always refers to and takes into account the Plan of Conservation and Development. She noted that she reads the Planning minutes and is aware of the contention. She has spoken with people from other towns who report that the combined Planning and Zoning are not as streamlined as you may think. She feels the separate commissions provide a system of checks and balances that protects the public. She noted that only 23 people turned out with regard to the 4-acre Zoning issue, which is only 1% of the population. The Commission listened to them and took their opinions into account; however, it was not a large turn out.

William Weed questioned how well the public knows how an individual is performing on a Commission. Ralph Wescott noted that in many cases one might vote with their party affiliation. Robert Munson explained that small towns do not care too much about party affiliations.

Barbara Henry reported that they currently have two vacancies on the Planning Commission and are finding it difficult to find people to run. The parties are just putting names in to fill the positions. Mary Elizabeth Peck and Ralph Wescott agreed that the Planning term should be reduced from 6 years.

Mary Elizabeth Peck suggested that Planning should be appointed as is Zoning. Robert Falconer explained that they look to appoint those who care about the future of Roxbury, which are not necessarily politicians who may have agendas. People such as developers would benefit by being elected. He noted that all the Zoners serve with good, pure interests and without agendas. Joseph Famighette noted that this was not a good argument because the elected Planners also have no agendas nor are politicians. Robert Munson suggested that someone like a developer might be the diversity needed to understand the process from a builder's perspective. Every developer should not be viewed as bad. Russell Dirienzo agreed that diversity is a good thing. The Commission needs to work as a team, respect the Chairman and the goals of the Commission.

Mary Elizabeth Peck reported that she was in favor of combining to alleviate the contention between Commissions; however, some good points have been raised. She suggested that they return to the proposal of one Commission member attending and being allowed to speak at the other's meetings. Barbara Henry agreed this was a great idea that Conservation Commission could take part in as well; however, the BOS would not be in favor of mandating the volunteers spend their time this way. Gary Steinman agreed that this would be a good idea for all the Commissions. Each Commission feels they are doing what is best for Roxbury; however, they may have different opinions regarding what it best. Hugh Rawson explained that each Commission questions their authority, which is even reflected in the Land Use Office. This idea would be useful to promote collegiality and to prevent surprises.

Steve Zaleta explained that typically nothing happens at Planning meetings and mostly what goes on is inconsequential. Zoning does all the heavy work. Hugh Rawson noted he felt they should work toward Planning having more input. Hugh Rawson explained that this country has different ways of doing things. Some positions are elected and some appointed; however, there is no clear determination whether one is better than the other.

Barbara Henry explained that the Selectmen will discuss how they want to move forward. They have the authority to call a Town Meeting and adjourn to an informational

machine vote. If the public is in favor they can repeal the ordinance and draft and vote on a new one. The group discussed typical public meeting attendance and whether those who have been affected are those who show. Robert Falconer noted that it has been his experience that only those who oppose will attend.

Barbara Henry thanked everyone for coming and welcomed them to send her e-mails with any additional points or questions they have.

The meeting was adjourned at 9:02 p.m.

Respectfully submitted,

*Tai Kern*

Tai Kern,  
Secretary

*These minutes are not considered official until approved at the next Regular Meeting of the Roxbury Board of Selectmen.*