

**BOARD OF SELECTMEN
INTERVIEW SUB-COMMITTEE
MEETING MINUTES – April 2, 2019**

6:30 p.m. - Conference Room B, 63 Main Street, Northborough, MA

INTERVIEWS FOR ZONING BOARD OF APPEALS

During the time period when interested residents were invited to apply for Boards and Committees pursuant to Northborough Code, Chapter 9-12-010 – *Reappointments to Boards and Committees*, two applications were received for the Zoning Board of Appeals (ZBA).

Selectmen Jason Perreault and Tim Kaelin conducted the meeting in place of Selectmen Dawn Rand and Leslie Rutan, as both Ms. Rand and Ms. Rutan have personal associations with current members of the ZBA.

Selectmen Perreault and Kaelin, along with ZBA Chair Brad Blanchette, reviewed the applications and interviewed the following applicants for the single ZBA seat being considered for reappointment:

- Richard Rand
- Jonathan Rea
- Peter Basius

Following a review of the charge and responsibilities of the ZBA, the incumbent and two applicants were each asked the same set of questions, which mainly focused on their involvement and knowledge of the ZBA and why they were interested in serving on this particular board versus any other. Following each interview, the Subcommittee thanked the applicant for his interest and participation in the process. Each candidate was informed that he was welcome, but not obligated, to observe the remainder of the proceedings, including deliberation and recommendation; each opted to depart at the conclusion of his interview.

Richard Rand (incumbent)

Mr. Rand submitted a letter expressing his interest to be reappointed to the ZBA and noting his residency and some recent, significant accomplishments during his tenure:

- Resident for 52 years.
- ZBA member for 20 years with hundreds of hearings and rulings over that period.
- Has served as ZBA Chair many times.
- ZBA participation during development of Northborough Crossing retail complex, which expanded the Town's commercial tax base.
- ZBA participation during development of the Avalon Bay apartment complex, which caused the Town to exceed the 10% affordable housing threshold and relieved the Town from intrusion of hostile / forced 40B projects.
- ZBA rulings on zoning violations by SA Farms that were upheld on appeal in Superior Court.
- Strive to make fair decisions that are in the best interest of the Town.

In response to a question about how the Master Plan relates to the ZBA, Mr. Rand observed that the Master Plan falls more within the purview of the Planning Board and that the Plan drives bylaw proposal and adoption. The ZBA upholds those bylaws and grants variances and special permits as appropriate.

ZBA Chair Blanchette submitted written input citing factors that support Mr. Rand's reappointment, including Mr. Rand's past service as ZBA Chair, the value of his experience when controversial matters appear before the ZBA, and his excellent record of attendance with only 10 missed meetings of 197 over a 20-year period.

Jonathan Rea, Peter Basius (new applicants)

Mr. Rea and Mr. Basius introduced themselves and presented strikingly similar profiles of background, qualifications, and interest; summarized as:

- Resident for 7 (Rea) and 5 (Basius) years.
- Attracted to and appreciate Northborough for its small-town feel.
- Capable business/financial professional per resume attached to application.
- Transferrable skills: critical thinking, coping with complexity, negotiation, consensus building, problem resolution, asking the right questions.
- Desire to become more involved and give back to the community.
- Desire to preserve and protect the Town in its current form.
- Interested in serving on ZBA because it has the final say on variances and special permits; balances economic development interests with residential concerns; exerts significant influence on town character.
- Understands that serving on ZBA requires a heavy time commitment and affirms willingness and ability to meet it.

Mr. Rea and Mr. Basius also provided nearly identical responses about their preparation, knowledge, and past activity in relation to zoning and ZBA:

- Has recently consulted Town, Commonwealth, and/or other online resources seeking information about zoning and ZBA.
- Has never attended a ZBA meeting. (Mr. Rea's recall of a meeting on the topic of recreational marijuana was recognized by the interviewers to be a meeting of the Planning Board, not the ZBA.)
- Has not spoken to ZBA or Planning Board members about interest.
- Has not spoken to Planning Department staff about interest.
- Has never been a petitioner before any ZBA or Planning Board.
- Has never offered input at a hearing of any ZBA or Planning Board.
- When asked to cite an issue other than recreational marijuana prohibition, does not recall having a particular interest in or concern about any prior zoning issue during his residency.
- Corrected the checkbox assertion on his application, indicating that he regularly attends Town Meeting, by stating more specifically that he has attended two (single evenings each) since establishing residency.

DELIBERATION

Selectman Perreault stated that time, interest, and energy can be sufficient qualifications to serve on some appointed Town committees according to their purpose, but the ZBA has a steep learning curve and sets the highest bar in terms of specialized knowledge and time commitment required for a member to be able to participate constructively. ZBA members must also understand the legal framework within which they operate and be competent enough to reach decisions that can withstand legal challenge.

Selectman Kaelin agreed that the requirements of the ZBA are demanding. While he believes that an infusion of new blood can be beneficial to revitalize a committee, in this case the disparity between the qualifications of the new applicants and Mr. Rand's lengthy record of service and experience is too great to make that a material consideration.

ZBA Chair Blanchette offered, for comparison, that he was first appointed to the ZBA as an alternate member before being appointed to serve as a regular ZBA member; and has since been nominated and voted by his ZBA colleagues to serve as ZBA Chair over the past year. The Selectmen agreed that the applicant, the ZBA, and the Town are all better served by such a progression.

Both Mr. Rea and Mr. Basius were recognized as very capable and concerned residents who are looking to give back to their community, with high potential to be effective contributors. Both should be encouraged to develop their understanding of zoning and the ZBA and keep their applications active on file in the Selectmen's Office in the event that an opportunity to serve as a ZBA alternate arises. Mr. Rea and Mr. Basius might also consider current vacancies on other committees that align with their interest and allow an opportunity to make an immediate contribution to the Town.

The consensus was that Mr. Rand's service, knowledge, experience, and reliability make him the most qualified candidate, and that his reappointment to the Zoning Board of Appeals as a regular member is in the best interest of the Town.

RECOMMENDATION

Selectman Kaelin moved the Subcommittee vote to make the following recommendation to the Board of Selectmen at their next regularly scheduled meeting:

To reappoint Richard Rand to the ZBA for a three-year term to expire on April 30, 2022 considering his merit, qualifications and suitability in serving on the ZBA;

Selectman Perreault seconded the motion; both members voted in favor.

ADJOURNMENT

Selectman Kaelin moved the Subcommittee vote to adjourn; Selectman Perreault seconded the motion; both members voted in favor.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Diane M. Wackell
Executive Assistant to the
Board of Selectmen

Documents used during meeting:

1. Richard Rand – letter seeking reappointment
2. Jonathan Rea – Town application and resume
3. Peter Basius – Town application and resume
4. Memo from ZBA Chair Brad Blanchette
5. List of interview questions