

SELECTMEN'S MEETING MINUTES
September 06, 2011

Members Present: Larry Harrington, Chairman
James J. DeVellis, Vice Chairman
Mark Sullivan, Clerk
Lorraine Brue
Lynda Walsh

Others Present: Kevin Paicos, Town Manager
Bill Grieder, Vice Chairman, Planning Board

The Meeting was brought to order at 7:00 by Larry Harrington, Chairman.

7:00 – Consideration of Gaming Zoning By-law – Larry Harrington, Chairman, explained that the purpose of this meeting was to discuss a proposed Warrant Article that would amend the existing zoning by-law to allow gaming activities in Foxborough.

Kevin Paicos referred to his memo to the BOS giving reasons why it is important to consider changes in zoning to allow a casino in Foxborough. He stated that a number of developers and real estate development firms have expressed interest in Foxborough because of its favorable location in proximity to Boston, Providence, Worcester, etc. as well as major highways. Kevin explained that if legislation for casinos in Massachusetts is passed, it is probable that there would be three regions in the State. Foxborough is located in the Boston and northern region. He said once this legislation is passed, licenses would probably be granted fairly quickly. The developers have indicated that they are not willing to make proposals to towns that do not have the appropriate zoning. The Town Manager submitted a Proposed Warrant Article for Special Town Meeting to amend the Zoning By-Laws to allow Foxborough to host a casino if State legislation is approved. This Article would require a 2/3 vote at Town Meeting and approval by voters by Ballot. Kevin Paicos pointed out that the proposed article includes all of the S1 area and requires approval of Special Permit by the Planning Board. He pointed out that approval of this by-law change would give the Town at least a seat at the table but would not obligate the Town in any way. He suggested that this would encourage further development along Route 1 and be an economic stimulus for the area. Kevin recommended that the Board schedule a STM for late September or early October.

Bill Grieder pointed out that the Planning Board did not take a vote on this, the consensus being that they would not sponsor this article. He reviewed the history of articles pertaining to gaming voted on at Town Meetings. He noted in particular May 2, 2005 Ballot question to allow a harness racetrack facility and

slot machine gambling in Foxborough. This was voted down by ballot. He said the Planning Board feels amendment to the Zoning By-law has not been properly vetted. He pointed out that it has not been reviewed by the Advisory Committee. He said that the Board always welcomes the opportunity for new revenues coming into the Town, it seems reasonable that this change in the by-law to allow a casino in Foxborough should be thoroughly vetted by all appropriate departments and/or committees.

Larry Harrington opened the meeting for comments from the citizens. Among the several citizens who spoke out against the proposed zoning change was Tony LaChapelle former Selectman and chairman of the gambling study committee in 2004. He noted that a significant amount of work was put into the research at that time. He said this process is flawed. He said people in the business of running casinos consistently over promise and fail to deliver. He said what the Town would be giving up is sacred and the last thing that really defines the community is control over zoning and this would affect the quality of the community for ever. He pointed out that just because the infrastructure of the Town is attractive to developers of gaming facilities does not make it a good thing for the Town. He asked the Board to give this a lot of serious thought before making a decision to move forward. Other citizens who spoke out against changing the zoning and hosting a casino included Joy Peters, 18 Shoreline Dr., Kim Mellen, 1 Monroe St., Russell Peppard, 23 Lakeview Rd. and Joan Sozio, 25 Eastman Ave. Margie Oakes, 53 N Carl Annon Ct. was the only person to speak in favor of hosting a casino.

Jim DeVellis said this issue came to his attention last week. He said he appreciated the citizens coming forward to express their opposition to having a casino in Foxborough. He said he did expect the Planning Board to make a decision. He pointed out that the Advisory Committee had not had the opportunity to look at the proposed Warrant Article. He said this is a different situation than that of 2004 and he would expect a new committee would look at the whole issue. He noted that Foxborough has a history of thorough review of such issues and this has a long way to go. He is opposed to this. Lynda Walsh said Foxborough is not equipped and should not be made to equip for gambling. She would like to be sure the Planning Board and Advisory Committee have the opportunity to thoroughly vet this article. She believes that casino gambling should not be introduced to Foxborough. Lorraine Brue pointed out that the committees in 2004 and 2005 did all the research and came to a conclusion. The vote at Town Meeting was 2/3 against gambling. The research has been done and she pointed out that this would impact the character of the Town. She feels the Town should not be put through the emotional stress this would cause. Mark Sullivan suggested that the Board just look at the flavor of the community. He said the Town should not go through a 2/3 vote at Town Meeting and have this voted down on a ballot. Kevin Paicos pointed out that this was a way to reach out and get the feel of what the community wants; the BOS are representatives of the people and he would respect the decision of the Board and abide by it. He

said he has the message and will research other opportunities for business development in Foxborough. Larry Harrington said there should be a Special Town Meeting because there are other things that need to be brought before the voting public. He was going to suggest a November Special Town Meeting.

Motion by Mark Sullivan that the Board of Selectmen vote not support Proposed Warrant Article and to not allow gambling in any way in the Town of Foxborough. Seconded by Jim DeVellis. **Vote: 5-0-0**

Motion by Mark Sullivan to adjourn. Seconded by Lynda Walsh.
Vote: 5-0-0 Meeting adjourned at 8:00 p.m.

Mark Sullivan, Clerk