Executive Summary
Land Use Budgets 1998-2027

One of the Town Council's charges to this Ad Hoc Committee is to evaluate the staffing impacts and budgetary implications of maintaining a combined Planning and Zoning Commission versus restoring separate Planning and Zoning Commissions.

To help answer that question, I reviewed twenty-eight years of publicly available Town budget records, allowing comparison of approximately fourteen years under separate Planning and Zoning Commissions with the fourteen years since they were combined in 2012. The premise of this review is straightforward: if combining the commissions significantly affected staffing or costs, some evidence of that change should be visible in the historical budget record.

Staffing

After accounting for temporary staffing vacancies in the Zoning Enforcement Officer and Building Official positions immediately preceding the merger, one finds **no evidence that combining the commissions materially reduced staffing levels.**

Over the years the Town has experimented with different staffing arrangements—at times providing separate assistants for the Planner, ZEO, and Building Official, and at other times sharing assistants among departments—but these changes occurred before the commissions were combined. Likewise, administrative support allocated specifically to the Planning and Zoning budgets disappeared from the budget after approximately 2003, making it difficult to determine whether combining the commissions had any measurable effect on clerical staffing.

Finding: the historical budget record does not support a conclusion that combining the commissions produced significant staffing efficiencies.

Salary Trends

Salary growth appears to reflect broader economic conditions rather than changes in commission structure. After excluding years in which positions were temporarily vacant, Land Use salaries generally increased:

- approximately **3.1% annually** prior to the 2008 recession,
- approximately **2.1% annually** between 2009 and 2019, and
- approximately **3.9% annually** following 2020.

Finding: Salary trends appear more closely associated with broader wage conditions than with the organizational structure of the commissions.

Operating Costs

While staffing costs have remained within expected trends, several categories of operating expenses increased substantially during the period following consolidation in 2012.

Most notable are:

- software licensing,
- legal expenses
- professional and technical services

Finding: Software licensing costs increased significantly after 2013 and rose sharply again beginning in FY2025. Whether this increase resulted from commission structure, technological change, or other factors cannot be determined from budget data alone.

Legal Costs

Legal expenditures likewise increased substantially in years involving major litigation.

The public records for Planning and Zoning identify three distinct regulatory periods:

- the pre-2012 regulations, legacy zoning regulations that had evolved over 40 years;
- the major regulation rewrite adopted in 2012, under the Zoning Commission;
- the major regulation rewrite adopted in 2019, under combined P&Z Commissions.

The largest litigation line items reflected in the 2010–2011 budgets arose from a disputed §8-30g affordable housing decision during the pre-2012 regime. During the period in which the 2012 regulations were in effect (2012–2018), litigation-related expenditures appearing in the budgets (principally in 2013 and 2017) remained comparatively modest.

By contrast, under the regulations adopted in 2019, the Town has once again incurred increasing litigation costs associated with procedural challenges to zoning amendments, disputes over land use decisions, and litigation involving interpretation of provisions contained within the revised regulations.

Finding: Litigation has occurred under all three regulatory periods. However, the more recent budgets reflect substantially larger litigation expenditures than those incurred during the period in which the 2012 regulations were in effect.

Whether these later disputes reflect shortcomings in regulatory drafting, legislative review, changing development pressures, or other factors cannot be determined from budget records alone. While this analysis cannot establish causation, it does identify a pattern that merits further examination to evaluate the effectiveness of the current commission structure.

The increase in litigation-related expenditures raises legitimate questions the Committee may wish to consider:

- Did the combined Planning & Zoning Commission have sufficient time and expertise to thoroughly review and refine major zoning amendments before their adoption?
- Has the combined commission structure affected the clarity, consistency, or legal defensibility of the Town's zoning regulations?
- Would separate Planning and Zoning Commissions provide additional opportunity for careful review of major regulatory amendments before adoption?
- Whether the organizational structure of the Commission influences not only how regulations are drafted, but also what types of policy changes are proposed and ultimately adopted - that leads to expensive lawsuits.

Plan of Conservation and Development

Despite reviewing budgets back to 1998 – covering preparation of the 2003, 2010/2013 and 2020 POCDs – there are **no identifiable budget line items for an outside consultant to prepare or assist in preparing the POCD.** By contrast, the current budget proposes funding for outside professional assistance with preparation of the next POCD.

Finding: Hiring an outside consultant to help prepare the POCD is a new development.

Whether this represents a consequence of combining the commissions cannot be determined from budget data alone. However, it does raise an important policy question: **Has the combined Planning and Zoning Commission become so occupied with zoning administration and development review that it no longer has sufficient capacity to perform one of its principal long-range planning responsibilities – a responsibility that belonged within the purview of the Town Planner under separate commissions – without outside assistance?**

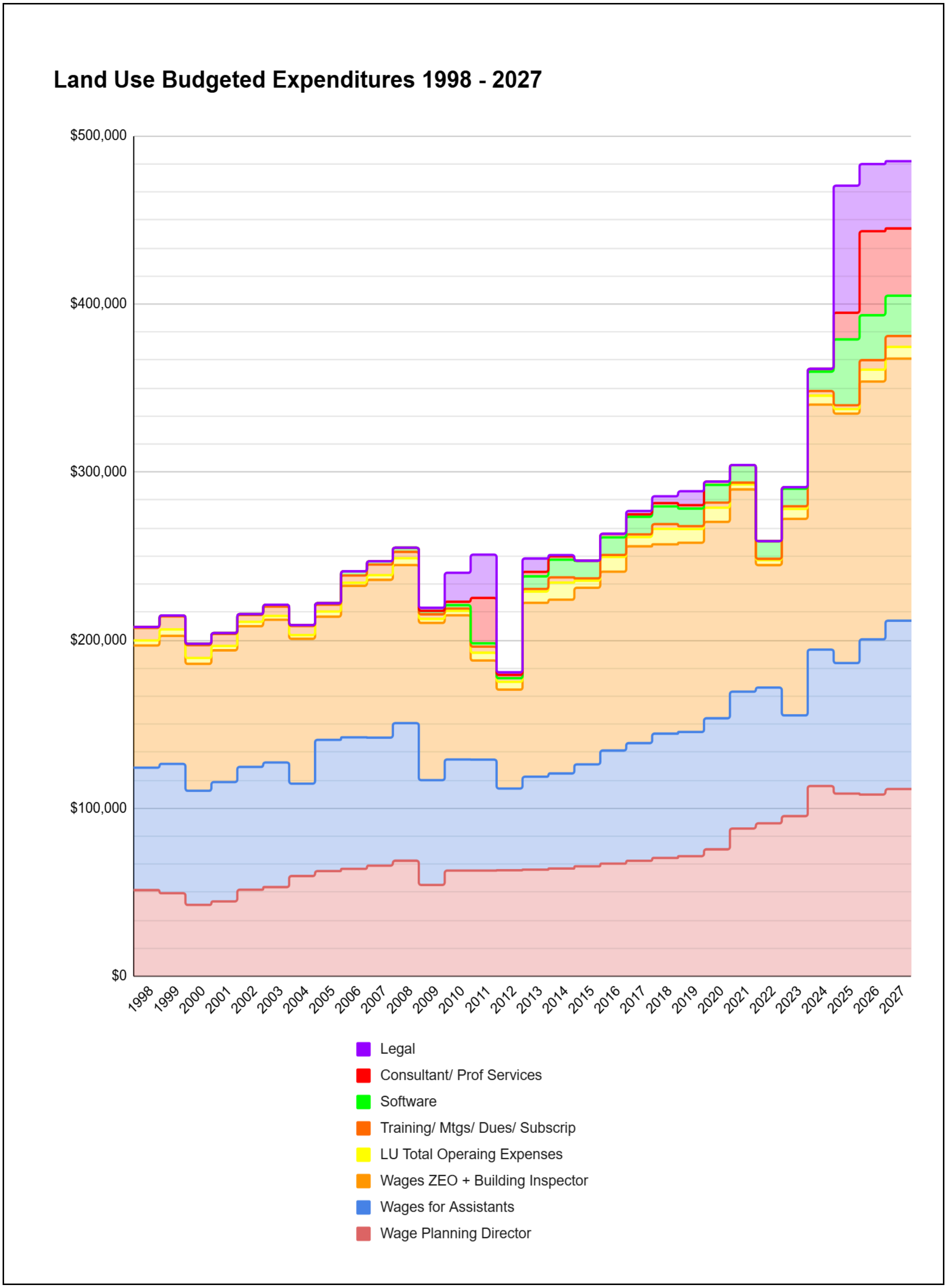
That question lies squarely within the Town Council's charge to this Committee.

Conclusion

Any anticipated staffing savings from combining the commissions simply do not appear in the budget. Legal and software costs are going up. If staffing didn't decrease… yet planning capacity appears to have decreased, resulting in outside consultants needed to assist in long-term planning… then one naturally asks:

What exactly was gained by combining the commissions?

Dave Schroeder Jr
Ad-Hoc Committee to Evaluate Separation of the Planning Commission & Zoning Commission


Land Use Budgeted Expenditures 1998 - 2027
$500,000
$400,000
$300,000
$200,000
$100,000
$0
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
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2022
2023
2024
2025
2026
2027
Legal
Consultant/ Prof Services
Software
Training/ Mtgs/ Dues/ Subscrip
LU Total Operaing Expenses
Wages ZEO + Building Inspector
Wages for Assistants
Wage Planning Director

Budgetary Analysis:
Planning, Zoning & Land Use 1998-2027

Staffing

From 1998 till 2003 the Planning Director and ZEO budgets shared the cost of both an assistant and administrative clerk equally, and for several years the ZEO was aided by what appears to be a part-time assistant. Both Planner and ZEO had small budgets for incidental jobs (e.g. summer employment, data entry, etc). The ZEO's part-time assistant was discontinued in 2000.

Meanwhile the Building Inspector's budget included both an Office Assistant and an Assistant to the Building inspector.

This setup changed in 2004 when both Planning Director and ZEO were each budgeted with their own Office Assistants, and the shared administrative clerk position was discontinued. The Assistant to the Building Inspector position was also discontinued, and in its place a small allowance budgeted for a part-time Assistant.

In 2005 it appears there was a months-long hiatus without a ZEO, resulting in a budgetary saving. Similarly from 2004 the ZEO Assistant position went unfilled until 2006, which also appears as a savings, the role apparently being covered in 2005 by an Administrative Clerk.

It appears that all staff took a wage cut in 2009 as a result of the poor economy tied to the stock market crash, with a partial raise in wages in 2010. Additionally the ZEO's Assistant position appears to have been cut in 2009, not reappearing in the budget again until 2013.

In 2011 & 2012 it appears that there were staffing difficulties with filling first the ZEO and then the Building Inspector positions, which together with the lack of a ZEO Assistant inadvertently resulted in the lowest Land Use budget the town had seen in decades. Evidence from minutes indicates that volunteers on the Zoning Commission were coping under this unintended staffing deficit.

This was the situation as it stood in 2012 when the Commissions were combined.

From 2013-2019 the Planner's Assistant position appears to have been cut. This left one Office Assistant with the ZEO (or the ZEO and Planner shared an Assistant as before). The Building Official continued with their own Office assistant and a small budget stipend for a part-time Assistant, as had been the case since 2004.

From 2020 onward, the entire Land Use budget appears as a combined departmental budget. All Assistant wages have been combined into one cost position. Similarly the ZEO and the Building Official wages have been combined into one cost position. The operating expenses, training, professional subscriptions, etc. of the Planner, ZEO and Building Inspector are now all shared in one combined budgetary item. This makes it easier for bookkeeping but makes it more difficult to trace actual expenditures, the number of actual assistant positions, part-time employees, etc.

In 2022 it appears one of the “Supervisor” positions went unfilled (i.e. the ZEO or Building Inspector), resulting in a budgetary cost savings. Similarly an Assistant position appears to have gone unfilled for a time in 2023.

Finding: No measurable reduction in staffing attributable to combining the commissions.

Staff Wage Trends

The Assistant to the ZEO/Planner position being cut seems to be the primary driver of the budget decrease for wages in FY 2000.

Between FY 2000-2008, unfilled staff positions aside, it appears that there is a period of linear wage-growth incremental increases across all Land Use departments representing a growth rate of 3.13% compounded annually. This period of wage growth ended in 2009 with the economic crash and resulting wage cuts.

If one discounts the anomaly in 2011 and 2012 of dual unfilled staff positions, one sees another trend emerging with a steady linear increase in wage growth between 2009 and 2019 representing a growth rate of 2.1% compounded annually.

It appears that in 2020, presumably tied to the outbreak of COVID, there was a department-wide wage increase, and again in 2024. From 2020 onwards, if once again one discounts the anomaly in apparent savings due to unfilled staff positions, there appears to be a new trend of yearly rate of wage increases within the Land Use departments representing a growth rate of 3.92% compounded annually. In real terms over the last 15 years, the budgeted salaries for the Land Use have risen from $210,000 to $370,000, representing a 76% increase, or an average rate of 3.80% compounded annually.

Finding: Wage growth appears driven primarily by broader economic conditions rather than commission structure.

Commission Costs

The costs associated with the volunteer commissions, both separate and combined, have been miniscule compared to staff wages and associated Land Use budget items. Operating expenses for the Commission(s) have regularly been budgeted at less than $1,000 a year, and have remained so with few exceptions over the last 28 years.

It does appear more volunteer training occurred up until 2008, and then again in the few years after the Commissions were combined in 2012. A line item in the budget for Commissioner training has disappeared since 2018, apparently those expenses are now being absorbed into the general Land Use budget, although this was not the case prior to 2019.

Finding: Costs of the volunteer commissions themselves are negligible regardless of structure.

Operating Expenses

After accounting for inflation, routine operating expenses across the Land Use departments have fluctuated from year to year but remained generally consistent over the 28-year review period.

Finding: No measurable change in routine operating expenses can be attributed to whether the commissions were separate or combined.

Training Costs

Training for volunteer commissioners appears to have been provided as needed. Planning Commission training was budgeted more actively before 2008. Since then, volunteer training costs have generally fluctuated around $1,000 annually, regardless of commission structure.

After accounting for inflation, staff training costs across the Land Use departments also remained generally consistent through 2024. Budgeted training costs increased during the two most recent fiscal years.

Finding: Volunteer commissioner training has remained a minimal expense under both separate and combined commission structures. Recent increases appear primarily within staff training budgets.

Software Costs

Beginning in 2013, the former *Digital Mapped Sym* line item appears to have been replaced by *LU Software Licensing*, budgeted at $10,500 annually under miscellaneous administrative expenses. Depending on the comparison year, this represented an increase of approximately five to twenty times the cost of the earlier software.

Budgeted software licensing increased to $39,000 in FY2025 and has remained above $24,000 annually since then.

Finding: Software costs increased substantially beginning in the first year after the commissions were combined and rose sharply again in FY2025. The budget records do not establish whether these increases were related to commission structure, changing technology, expanded services, or other factors.

Consultants/ Professional Services

Since 2009, approximately $2,000 has generally been budgeted annually for professional or technical services associated with the volunteer commission, although the account appears to have gone unspent in roughly one-third of the reviewed years.

Consultants have otherwise appeared as identifiable budget items when used. For example, the FY2011 Planning Director’s budget included funding for *Grant Consultant* and *Project*

Assistance. Planning Commission minutes indicate that the consultant assisted with obtaining a grant, although the purpose of the additional project assistance could not be determined.

The *Professional Services* appropriations appearing in the FY2026 and FY2027 Land Use budgets may include consulting or technical assistance, but their intended uses are not identified. The proposed $75,000 expenditure for assistance with the POCD does not appear as a separate Land Use line item in either budget.

Finding: No identifiable budget appropriation for an outside consultant to prepare or assist in preparing a POCD was found before 2026. No noticeable increases in professional service fees occurred during or prior to the years POCDs were updated (2003, 2010 and 2020). The record appears to establish that no outside assistance was used for the POCD during the period reviewed.

Legal Costs

The reviewed legal expenses appear to fall into two broad categories.

The first consists of legal review associated with substantial zoning amendments. Such costs appear from approximately 2009 through 2014 and again from 2017 through 2019, preceding and immediately following the comprehensive zoning regulation rewrites adopted in 2012 and 2019. These expenses varied by year but generally remained comparable to staff training costs.

The second category consists of litigation expenses arising from appeals or lawsuits involving land use decisions. Significant litigation-related costs appeared in 2010–2011, 2013, 2017-2019, and again beginning in 2025. Unlike routine legal review, litigation has generally produced rapid and substantial increases in budgeted legal costs.

Finding: The historical record indicates that modest litigation costs occurred between 2012 and 2018, corresponding to the period the zoning regulations adopted in 2012 were in effect. Significant litigation appears both before and after that period. Under regulations adopted in 2019, a pattern of mounting litigation is unmistakable.

Appendix - Record Data

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Miscellaneous																														
LU Software Liscensing																7500	10500	10500	10500	10500	10500	10500	10500	10500	10500	10500	11532	39157	26700	24000
															Separate Commisions	Combined Commissions														
Land Use																														
	Planning Director																						**Combined Budget Land Use**							
Director of Planning	51269	49453	42432	44554	51500	53045	59636	62608	63877	65794	68755	54319	62882	62884	63085	63472	64101	65383	67018	68694	70411	71467	75525	87915	90980	95274	113220	108665	108150	111395
Asst(s) to Planner/ Land Use	500	289	288	0	0	0	25317	28740	28900	24408	30115	30831	32497	32497	15117	0	0	0	0	0	0	0	77964	81422	80800	59646	81167	77695	91917	99807
Office Assistant II	10947	11501	11512	12212	12578	12549																								
Admin Clerk	2874	2816	2847	3334	3435	3535																								
Operaing Expenses	0	0	0	0	0	0		0	0	0	0	0	0	0	3375	3009	7070	2435	5909	3693	5000	5000	7500	2748	2926	5473	5129	2494	6000	6000
Travel	300	300	300	240	190	200	750	499	269	583	390	293	0	200																
Prof. Publications	325	371	375	375	285	200	200	400	667	348	158	96	0	300																
Dues	275	490	300	300	285	250	285	246	439	100	356	356	0	325																
Meetings/ Conferences	1000	1000	500	1000	950	0	1000	1000	998	980	295	1230	0	500																
Tuition Reimbursement	0	0	0	0	0	0	0	0	0	0	0	0	0	0																
Subtotal Training/ Mtgs/ Dues/ Subscrip	**1600**	**1861**	**1175**	**1675**	**1520**	**450**	**1485**	**1646**	**2104**	**1428**	**809**	**1682**	**0**	**1125**									**3000**	**1034**	**823**	**1566**	**2758**	**2312**	**5720**	**6460**
Grant Consultant														15000																
Project Assistance														10000																
Total Planning Director	**67490**	**66220**	**58554**	**62015**	**69223**	**69779**	**87188**	**93493**	**95150**	**92213**	**100069**	**87125**	**95379**	**96706**	**81577**	**66481**	**71171**	**67818**	**72927**	**72387**	**75411**	**76467**								
Prof/ Tech Services																										0	0	13448	50000	40000
Legal Services																										0	0	75635	40000	40000
Advert/ Legal Notices																										0	0	5014	6500	6500
	Zoning Officer																						**"Supervisors" (ZEO & Bldg Official Wages)**							
Zoning Official	33197	34837	34871	37765	38802	40222	41475	24935	41306	43553	41761	43221	43221	16417	31933	49031	47811	49013	49492	56166	52798	52798	116855	120353	72870	116961	145738	148436	148004	150472
Overtime	2000	2000	2000	2000	2000	0	0	0	0	28	1974	0	0	0	0	0	0	0	0	0	0	0						0	5450	5450
Office Assistant II	10948	11501	11512	12212	12578	12549	1588	0	19066	20943	20943	0	0	0	0	20576	21825	25659	30663	32005	34344	34342								
Asst to ZEO/Planner	7301	7663	0	0	0	0	0	1767	0	0	0	0	0	0	0	0	0							0	0	307	0	0	400	400
Admin Clerk	2890	2816	2847	3334	3435	3535	0	17688	0	0	0	0	0	0	0	0	0													
Data Entry	1981	2481	500																											
Operating Expenses	1000	1000	1000	880	836	680	313	1264	477	440	2230	0	778	1083	63	1050	594	260	977	883	1500	883								
Office Furniture	500	500																												
Maps/Regulations	1000	1000	500	500	475	500	35	175	20	0	500	0	0	500																
	Zoning Commission																													
Educational Training/ Comm Training	500	500	500	500	475	300	300	25	992	0	500	0	305	500																
Legal										0	0	0	15379	25500		3350														
Total ZEO+ Zoning Com	**61317**	**64298**	**53730**	**57191**	**58601**	**57786**	**43711**	**45854**	**61861**	**64964**	**67908**	**43221**	**59683**	**44000**	**31996**	**74007**	**70230**	**74932**	**81132**	**89054**	**88642**	**88023**								
Total Land Use	**203796**	**209934**	**191881**	**199942**	**214337**	**216390**	**205726**	**219489**	**237517**	**241034**	**250786**	**213873**	**232690**	**218379**	**175953**	**231702**	**233868**	**235807**	**249797**	**262915**	**267078**	**266807**	**280844**	**293472**	**248399**	**279227**	**348012**	**433699**	**462141**	**466484**
Planning Commission																														
Prof/ Tech Services												0	2000	2000	2000	2700	2000	0	2133	1500	2000	2000	2000	0	0	850	1711	2400	0	0
Training Commisioners/ Summer Internship	2650	2730	3785	2812	0	2800	2000	1000	0	3000	964	140	140	381	730	615	2000	960	60		1000									
Operating Expenses	850	1500	1350	925	641	800	675	597	956	917	802	1390	1390	2866	628	1495	1500	0	823		1000	1000	1000	280	0	429	217	210	1000	1000
Legal												1853	1853	263	1553	4574	750	0	0	1912	4000	8281								
Digital Mapped Sym	550	550	800	550	523	1073	550	895	2513	2029	2500	2000	2000	2000	0															
Total Planning Com	**4050**	**4780**	**5935**	**4287**	**1164**	**4673**	**3225**	**2492**	**3469**	**5946**	**4266**	**5383**	**7383**	**7510**	**4911**	**9384**	**6250**	**960**	**3016**	**3412**	**8000**	**11281**	**3000**	**280**	**0**	**1279**	**1928**	**2610**	**1000**	**1000**
Building Official																														
Building Official	37510	39382	38639	38639	42916	44699	44699	48360	48886	50342	50342	50342	42521	42521	26914	54491	55583	56033	56908	60923	59845	59845								
Part-time Asst						0	3000	1520	933	0	0	703	373	0	0	272	0			0	500	400								
Office Asst II	20777	22520	22930	23951	24606	25098	25098	28356	29357	30831	30831	30831	33267	33544	33489	34401	34750	35057	36627	38038	39130	39122								
Asst to Bldg Insp	14612	15326	15492	15956	16430	16923		0	0	0	0	0	0	0																
Operating Expenses															591	1140	1030	1547	1089	970	1700	1300								
Milage								0	0	78	40	41	0	100																
Building Permit Printing	150	150	250	250	5	80	80	119	119	0	0	69	120	120																
Tools/ Equip	250	348	596	250	950	500	400	616	40	739	555	624	362	304																
Reference Books	400	400	400	400	380	300	300	269	183	278	0	0	188	300																
Dues	290	290	290	290	276	250	250	135	160	205	180	205	180	170																
Education	1000	1000	1000	1000	950	975	1000	767	828	1384	861	712	617	614																
Training/ Mtg/ Dues/ Subscrip															1386	910	1104	420	1114	1543	1850	1650								
Total Building Official	**74989**	**79416**	**79597**	**80736**	**86513**	**88825**	**74827**	**80142**	**80506**	**83857**	**82809**	**83527**	**77628**	**77673**	**62380**	**91214**	**92467**	**93057**	**95738**	**101474**	**103025**	**102317**								