

## **Norfolk Select Board's Open Session Meeting Minutes October 29, 2019**

Members Present: Kevin Kalkut, Christopher Wider, CiCi Van Tine. Members Not Present: None. Also Present: Blythe Robinson, Town Administrator; Judith Lizardi, Executive Assistant.

The meeting was held in Room 124, Town Hall. Mr. Kalkut called the meeting to order at 7:00 p.m. Mr. Kalkut announced this meeting is being both video and audio taped. All present recited the Pledge of Allegiance.

Ms. Robinson reviewed the agenda.

### Public Comment

Ms. Anne Marie Battistone expressed concern that the Town Meeting Warrant is not being mailed to citizens' homes. She stated people may not want to come to Town Hall for a copy. She asked if citizens can call to have a copy mailed to their home. Ms. Robinson said the Town made a previous decision to not mail the Warrant for the Fall Town Meeting as a cost-saving measure. Instead, postcards will be mailed. Copies of the Warrant will be available at the Town Hall, Library, and Senior Center. As well, citizens can call Town Hall and request a copy be mailed to them. She stated it costs approximately \$2,800 to mail the Warrant to all households; the cost of mailing the postcards is a few hundred dollars. She noted the Town can revisit this decision in the future. Ms. Carol Greene, Town Clerk, stated that when Ms. Battistone called Town Hall today, she was advised that the Warrant would not be mailed as a Town-wide mailing, but Ms. Battistone could speak to the Select Board's office and request to have a copy of the Warrant mailed to her home.

Mr. David Rosenberg, 123 North Street, stated he has talked to members of the Advisory Committee regarding how to encourage people to volunteer for Town committees. He stated the Massachusetts Open Meeting Law allows for remote participation if adopted by the Town. He discussed circumstance that may prevent committee members from attending meetings such as when committees meet midday; members could participate remotely via phone in these circumstances. He urged the Select Board to adopt remote participation for meetings.

Ms. Betsy Whitney, 26 Valley Street, expressed that she and other Pondville residents have very strong objections to the proposed snow removal and landscape construction business at 6 Hill Street as it will create traffic, noise, lights, trucks, and other disruptions. She stated this location is in the middle of two long established residential neighborhoods. This type of business would be well suited for Shire Industrial Park which was created in 2006 for this purpose. She stated that in 2013 a bylaw change was voted 61 to 16 at the Fall Town Meeting that opposed commercial development on Valley Street, Hill Street, and Old Pond Street, and expansion in the residential area was indicated.

Mr. Al Quaglieri, 194 Main Street, stated that in 2018 the Building Inspector and Fire Chief entered his building without his consent. They searched the basement of the building, fined a tenant, and started a court action which was later withdrawn by the Building Inspector. Subsequent to that, he complained to the Select Board. He read aloud an email written by Dave Deluca, Town Counsel, to the former Select Board Chair regarding his complaint. Mr. Quaglieri stated he has since had a meeting with the Select Board and one member said this could possibly be viewed as a criminal trespass. He stated he received an email from Ms. Robinson on July 23, 2019 stating she engaged an outside investigator regarding 194 Main Street, 43 Rockwood Road, and 81 Pond Street. He met with the investigator and has since been told nothing by the Town. He does not know if the investigation is complete and if demands were made on the Building Inspector for his actions. He stated transparency for the victims of the actions of the Building Inspector is a must. He would like the Select Board to meet and discuss the investigator's report and noted the report probably cost the Town \$10,000 to \$15,000.

Ms. Timaree Michienzie, owner of 81 Pond Street, stated she purchased the property in 2016 with the intention of putting in a ready-made 40-year established business from another town. Due to the requirements of the Building Department they have decided to purchase another building and not open the business in Norfolk. Their property was walked on without their consent. Regarding the F.11 process, she felt the goal line kept moving and it was becoming impossible to get the F.11 approved. She explained that there were concerns about where a work vehicle was parked and that because it could be construed as a sign, it could not be parked in front of the building. She believes that as a result of having to move the truck to the back area, someone entered their property and stole ladders from the truck as they assumed the building was abandoned. She has written multiple letters to the Town; she feels this is unfair. She stated the F.11 process should be easier for people trying to bring business into the town.

Ms. Susan Jacobson, Affordable Housing Director, stated she does not agree that Town employees can be discussed publicly in front of the Select Board. In a private company, this would never be tolerated. If there is a problem with an employee, or their supervisor, a resident, or business is unhappy with an employee's behavior, the employee's supervisor, Select Board, or Town Administrator should investigate; however, it should be handled at Town Hall, privately. We, as employees, should be treated with dignity and respect. There are many employees in Town Hall currently who feel very concerned to come before the Select Board and speak against anything because they fear retaliation. She stated this issue is important and must be brought to the Select Board's attention.

#### Presentation by Superintendent Allardi – Elementary School Enrollment Projections

Dr. Ingrid Allardi, Superintendent of Schools, stated she has worked collaboratively over the years with the Town trying to evaluate the potential impact of growth on the schools' capacity to provide appropriate educational spaces for the students. She shared the information and work that has been done to date as well as what she is recommending as the most cost effective and efficient solution to managing the enrollment growth. She introduced Dr. Donald Kennedy of the New England School Development Council. She

stated NESDEC specializes in enrollment studies and developing enrollment projections to help schools and towns plan appropriately.

Mr. Kennedy reviewed the historical enrollment by grade and discussed future projections. He noted the current number of births in Town is about the same as it has been in the past. In the future, they are projecting more people coming into Town and more homes on the market as home prices are robust. He noted the projections made for the school district this year were within 15 students of the actual enrollment. He stated they have good information from the historic data and will carry that forward to the future. He reviewed the projection methodology used. Projecting the numbers into the future shows 309 more students in 10 years; the accuracy of this estimate is greatest in the first three years. Currently, there are 916 enrolled students. He discussed the downturn of enrollment during the 2008 recession and the current rise that will continue. He stated that between the birth year and kindergarten, many more children have moved in. He discussed current residential construction projects and noted he did not make any assumptions about projects that were in review or litigation.

Dr. Allardi introduced Mr. Thomas Doyle, School Committee Chair, and Mrs. Medora Champagne, School Committee member. She stated they will join her in presenting a summary of the work done by the Space Study Committee and reviewing the potential options for the Town to accommodate the enrollment growth. She noted both Mr. Doyle and Ms. Champagne are members of the School Committee's Construction Subcommittee. She narrated a slideshow presentation of the Norfolk Public Schools enrollment projections and educational space. She discussed the historical context and noted that in the past five years the Town has seen an increase in growth and development with a number of Chapter 40B projects proposed which are in various states of approval with the Town. She noted that School Committee members, administrators, staff, parents, and citizens have expressed significant concern about the capacity of the schools to manage increased enrollment within the current school buildings. She noted that in January 2017, NPS sent out a survey to parents to solicit feedback to help shape goals and development of a three-year strategic plan. She reviewed that the Town of Norfolk and Norfolk Public Schools established a Space Study Committee in April 2017. The committee was responsible for soliciting concrete data regarding the potential impact of new construction and evaluating possible solutions for accommodating new enrollment in the most cost effective and efficient manner. She reviewed the current school building status. The H. Olive Day School is currently at capacity; there are no open classrooms. If additional classrooms need to be added, the art room, music room, or computer lab/maker space would be lost to accommodate growth. The Freeman-Kennedy School currently has one open classroom available for expansion. In order to accommodate growth beyond that one classroom, the science lab, art and music rooms, and computer/maker space would be lost. Losing these spaces would significantly impact programs and curriculum. She stated that Norfolk's capacity to remain educationally competitive in the region would be severely diminished. She reviewed the critical importance of Arts and Technology to 21<sup>st</sup> Century education. She stated that grades K through 6 all have class sizes that exceed the target established by the School Committee policy. She reviewed the Norfolk Public Schools average class size in

relation the Mass. Department of Education and identified comparison school districts. She discussed that community needs are not being addressed as there are 49 families on the waitlist for preschool which is tuition-based for most children, and there are 21 families on the waitlist for before and after-school care which is a self-funding entity. She further reviewed Massachusetts' requirements for early childhood education. She stated school districts are required by law to ensure that developmentally appropriate ESCE programs and services are available. She stated that ECSE programs and services ensure that all children with disabilities have a free and appropriate public education.

Dr. Allardi stated that knowing we are limited in space and expecting over 300 additional students in the next 10 years, the Space Study Committee looked at options. Option 1, to expand the H. Olive Day School, was determined not to be feasible for a number of reasons which she reviewed including the expense to replace and upgrade all building systems and lack of space to accommodate parking/play areas. Option 2, to rent/lease portable classrooms, was determined not to be fiscally prudent and does not provide a safe, secure environment. Option 3, to purchase/build a new site to house special education offices/Early Childhood Center, offers only a partial solution to the growth challenges. Option 4, to expand the Freeman-Kennedy School, is the most cost effective and efficient solution to accommodating growth. It would allow the Town to provide a safe, secure, and appropriate learning environment for all students. This single building project would resolve space issues at both the H. Olive Day School and the Freeman-Kennedy School. As well, the addition would create sufficient educational space for the Town to accommodate growth for the foreseeable future. She noted that benefits to expanding the Freeman-Kennedy School for the Town of Norfolk would include creating additional space that could be used by the Norfolk Recreation Department and would allow them to expand the programs offered to town residents. As well, this would allow the addition of a shower facility which would make it a true emergency shelter should a need arise.

Dr. Allardi reviewed that at the 2017 Fall Town Meeting, the Town voted to appropriate funding for the purpose of contracting with an architectural firm to conduct a preliminary feasibility study and draft a conceptual design plan for the expansion of Freeman-Kennedy. Norfolk Public Schools hired Flansburgh Architects to complete this work. A preliminary conceptual design plan was completed and shared with the School Committee and Town in October 2018. She discussed potential funding sources and next steps. The Massachusetts School Board Authority (MSBA) now considers participating in projects to prevent severe overcrowding. In order to be eligible, towns/districts must be able to substantiate growth. She discussed the benefits of partnering with MSBA and noted they have a strong reputation of ensuring that projects are completed on time and under budget. As well, partnering with MSBA saves towns significant dollars in construction costs. She reviewed the MSBA process and noted that towns/districts interested in applying to MSBA must submit a Statement of Interest in April.

Mr. William Beatrice of Flansburgh Architects provided a slideshow presentation and reviewed the Freeman-Kennedy Elementary School Expansion Study. He discussed the preliminary conceptual design plan; the proposed total gross building area is 29,000 sq. ft.

The concept is to connect the two wings of the existing school with classrooms and suites. He described the rooms projected on the first and second floors. He discussed the enlarged administration and special education areas on the second floor. He reviewed the Site Plan and the exterior area including the roadway, playground and parking, and pick up and drop off. He stated the preliminary cost estimate for the proposed construction is \$12,945,463; this is the construction cost only and does not include soft costs.

Dr. Allardi, Mr. Todd Hassett, District Business Consultant, and Mr. Todd Lindmark, Finance Director, presented preliminary information regarding the financial impact of funding a school building project and shared funding scenarios for the Town as a cost to the individual taxpayer. Mr. Hassett stated he and Mr. Lindmark put together a six-page exhibit to frame the potential impact to the single-family home taxpayer with and without state assistance. They believe they have used conservative numbers. He reviewed the debt the Town is currently carrying and highlighted the savings that refinancing the 2011 bonds has brought. He stated that with the \$20 million option, and the Town bearing the full burden of the project, the taxpayer would be impacted with an increase. Mr. Kalkut asked to have the enrollment projections appended by grade with the actual numbers for the previous five years in order to see how it has been trending.

Dr. Allardi continued to review the MSBA process. She stated the Statement of Interest must be submitted in April. Both the Select Board and School Committee must sign the application. Sometimes, MSBA requests additional information and a site visit by an MSBA team. The review process can take from 8 to 10 weeks before decisions are made regarding inviting districts to partner with MSBA. Ms. Robinson said being invited to partner with MSBA is quite competitive. Overcrowding is something that cannot be avoided and MSBA now considers participating in projects to prevent severe overcrowding. She pointed out the school needs would line up well with some of the Town's debt coming off. She stated it is important to have the conversation about working with MSBA or not, the timing, and making decisions that are best for the schools, the children, and financially feasible for all those who contribute to the costs. Dr. Allardi said if funding can be secured from MSBA, the impact to the taxpayer is more cost neutral. She reviewed that a ballot vote and a Town Meeting vote would be required for funding. With the timeline she provided, she stated they would hope to open in 2022. Ms. Champagne stated students need the Technology Room as they take the State MCAS tests on computers. There may be dips in scores if students do not have access to the technology they need; these skills are critical.

Mr. Edward Haddad, 138 Red Maple Run, commended the presenters on the provided reports; they were very impressive. He questioned the number of students coming into the H. Olive Day School over the next three years and asked how they would be accommodated. He stated he understands the disability requirements but does not understand the pre-K issue. Are seven classrooms needed for disability students? Dr. Allardi reviewed the requirements for students with disabilities and stated they must be in an integrated setting at a 60/40 ratio of typically developing peers in the classroom. If the growth continues at the current pace, they are expecting seven classrooms will be needed. The students with disabilities attend free; the other typical-peer students pay tuition which

helps to offset some of the staffing costs. Mr. Christopher Henry, 30 Boardman Street, asked if MSBA participates in building additions. Dr. Allardi said MSBA has funded additions and provides funding for substantial overcrowding in schools as it is their second highest priority. She noted that as new families move in with young children, the bulk of the growth will involve the H. Olive Day School first.

### **ACTION ITEMS**

Please consider approval of the Green Community Energy Reduction Plan for the Town of Norfolk

Ms. Robinson explained this is the home stretch to submit the Town's application to the State Department of Energy Resources to become designated as a Green Community. She stated that Select Board members have been provided with an updated version of the key components of the application, including the energy reduction plan (ERP). She noted the grant application requires approval of the plan by the Select Board and the School Committee. She introduced Mr. Andrew Bakinowski, Energy Committee Chair, and Mr. Larry Sullivan, Energy Committee member.

Mr. Sullivan reviewed the work they have done as a community and stated it has taken two years to get to this point. He explained there are five criteria to be satisfied to be designated as a Green Community; criteria #3 is the only one remaining which involves development of an energy baseline for the Town and an energy reduction plan to commit to reducing energy consumption by 20 percent over the next 5 years. A contract was awarded to EMA Boston for an audit that was done for all the public facilities within the Town; this formed the basis for the path forward regarding energy conservation. MAPC supports the Town's effort to become a Green Community and took the lead to prepare this energy reduction plan. He stated the Norfolk Facilities Department, administration, and others have worked along with MAPC in preparation of the document. The designation grant is likely to be \$140,000. The application must be submitted by November 22, 2019. Green Community notifications will be sent in January. He stated they need letters from the Select Board and the School Committee adopting the energy reduction plan. He discussed energy conservation measures identified by EMA and the value to the Town to implement those energy conservation measures. The energy conservation reduction is estimated to be greater than 22 percent. Mr. Kalkut thanked the presenters for their time and effort put into this process.

Mr. Sullivan noted that the portion of the audit that took the most time was identifying where the energy conservation measures existed and what they would be worth from an energy savings standpoint. Mr. Bakinowski noted that the Freeman-Kennedy School, although a newer school, has greater site energy use intensity per square foot because it has a more sophisticated technology than the H. Olive Day School. Additional energy conservation tactics will help improve the building's overall efficiency. Ms. Van Tine confirmed the vote is to approve that the application will be submitted for consideration. Mr. Bakinowski confirmed \$12,000 was spent on the audit. Mr. Sullivan reiterated that the designation grant is potentially \$140,000 and there is no reason to believe it would be different. He reviewed the application and grant process. When the Town becomes a

designated Green Community, a grant application for the money needs to be put together. Projects will be identified including how much they are worth and why they are important. A decision by DOER will be made on the amount and a check provided in the April/May timeframe. Twenty-five percent of the money is provided up front for the designation grant. The remainder of the money follows as the project is completed. Ms. Robinson confirmed that if the grant money is not designated, the Town does not have to spend the money on the projects. Mr. Sullivan reviewed that if at the end of 5 to 6 years, the municipality has not met the 20 percent required energy reduction, the municipality may be requested to submit a revised ERP; however, the municipality will not lose its previously awarded grant funding. Ms. Robinson stated it is important to finish the projects to get into the next round of funding and meet the 20 percent reduction. She stated that we are not signing contracts for anything and we will continue to go after the competitive grants as long as the State is offering them. Ms. Van Tine asked if at any point the State could say no and not provide the funding. Mr. Matt Haffner, Facilities Director, explained that a project would not be awarded a contract until there was confirmation from the State that the fund money would be provided to reimburse the Town. Ms. Van Tine asked if the Energy Committee needs to provide minutes for their meetings. Mr. Bakinowski said there is a requirement to prepare meeting minutes; minutes exist, but they are not ready.

Mr. Haddad said he looked at the provided spreadsheet which identifies that with an investment of \$572,000, it would be recouped in 3.5 years. He stated this is a no-brainer, and he does not understand the conversation as to whether or not the Town should be doing this. He questioned the number of vehicles; he noted that the narrative indicates 101 vehicles, but only 72 are listed. He asked why the exempt vehicles are not required to be replaced with fuel-efficient vehicles. Mr. Sullivan explained that exempt vehicles are due to a weight classification such as fire trucks and dump trucks; they are not fuel efficient. Mr. Haddad stated this information should be included in the narrative. Mr. Sullivan explained that the audience for the spreadsheet is the Department of Energy Resources (DOER). Ms. Robinson explained that the Town has 101 vehicles; some are trailers, some are pieces of equipment that do not have a mpg rating. The State wants only the vehicles with a mpg rating, so those vehicles or pieces of equipment without mpg ratings were removed from the list. The State designates all emergency vehicles and vehicles over a certain weight are exempt as a fuel-efficient version is not made. Mr. Haffner explained this is a five-year plan; it is an outlook. Mr. Kalkut summarized that the organization requiring this information has specific requirements for the spreadsheet and this is the required plan.

Mr. Paul Denver, 16 Winterberry Way, confirmed that the Town could spend \$572,000 and will reduce energy consumption by one-fifth. He asked what the actual savings from one year to the next is. Mr. Bakinowski said every energy conservation measure has a specific budget and a specific savings associated with it. The savings are not considered in the \$572,000. It will take one to two years to get all the numbers to determine how much the yearly savings will be. For instance, the dollar value will change as the cost of energy goes up or down; it is a variable. Ms. Van Tine said this went to Town Meeting two years ago in 2017. The Select Board has been charged with carrying this out. Ms. Robinson said the goal is to effectively spend the \$140,000 grant, then to figure out the best use of the

State's \$250,000 Challenge Grant, and to use the funds effectively to work towards reducing the Town's energy consumption by 20 percent; the Town reaps the benefits of saving money on energy. Mr. Haffner explained he is looking at a project with an ROI of 1.43 years by changing all the fixtures at the Senior Center. It is a \$25,000 project and Eversource will be providing a grant; the Town's exposure will be about \$7,300. The Town will be saving a great amount of energy. He explained that grants from the State are always changing.

A motion was made by Mr. Kalkut to approve the Green Community Energy Reduction Plan. It was seconded by Mr. Wider, and so voted. All were in favor.

Chair Kalkut called a five-minute recess.

Please consider executing the November 19, 2019 Special Town Meeting Warrant

Ms. Robinson stated there are various staff people in attendance to answer questions about capital items and zoning articles. She noted that free cash is now being used to close out the snow and ice deficit, and \$100,000 was added to the borrowing article to get a start on the road program. There is information in the Select Board members' packets as to how those funds would be deployed.

Mr. Wider asked if DPW staff were in attendance regarding the roll-off truck and lawn mower. Ms. Robinson said the DPW has been investigating other trucking companies as a way to address the hauling of materials without doing it themselves or purchasing the truck. All of trucking companies they have talked to would cost more than our own labor at \$66 per hour. Any trucking company the Town would want to hire would have to pay prevailing wage which is higher by about \$30,000 to \$90,000 per year than the Town's cost, and it does not include the replacement of the truck. Once the truck is paid off, it will cost the Town less per year than contracting out. Also, depending on where they are going to drop off the recyclables or trash, they could be waiting in a drop-off queue and this also impacts cost. She stated she is not prepared to say it is a better option for the Town long term to not purchase the truck. Overall, it is still a better outcome for the Town to own the truck and do its own hauling. She stated she does not have any additional information on the lawn mower. She stated Ms. Ann Proto, Recreation Director, and Mr. William Rigdon, Recreation Commission Chair, are here to provide background on the importance of how the fields are mowed and maintained, the Recreation Department's expectations, and the equipment they need to meet those needs. Mr. Wider asked about the police cruiser and confirmed the new vehicle will be a hybrid. He asked if there was a plan as to how to get rid of vehicles if they cannot be down cycled. Ms. Robinson said she will begin that analysis with various departments as part of the budget process.

Mr. Rigdon discussed the three field projects for which they have requested \$90,000 in funding. These projects include the Pond Street Babe Ruth Baseball Field restoration, Little League Baseball Field infield renovation at Freeman-Kennedy School, and the Softball Field renovation at the Freeman-Kennedy School. He described the issues they are having with the maintenance of the fields. He noted the fields had traditionally been well kept;

however, over the last few years the maintenance has declined. He stated that the lack of field space means overuse of the fields they have, and the lack of maintenance is due to other items the DPW has been focused on. Ms. Proto discussed the details of the budget estimates for the three projects. She provided photographs of the fields noting that some of the fields are unsafe. She stated there are nine softball/baseball fields. The AAA field is really not playable; it is dangerous. The infield needs to be rebuilt. She noted that they have to change the way the fields have been maintained and has been working on this with the DPW. They may need to bring in outside help. She explained that some other fields also need help which the DPW will be working on. Mr. Rigdon said they are working with the DPW, and there have also been some collaborative projects with volunteer groups. However, this requested project is outside anything the DPW or the volunteers can handle.

Mr. Wider confirmed that Ms. Proto will work with the DPW on field maintenance. Mr. Rigdon noted the Recreation Commission has developed a new tournament fee policy allowing them to collect up to \$100 per game which will go back into the fields. Mr. Wider said he would like to see how much it would cost for an outside company to maintain the fields and do the Town's grass cutting. Ms. Robinson said it is important to understand the Recreation Department's expectations and timing of mowing the fields. If this is outsourced, some of the control and timing of the maintenance may be lost. Ms. Proto explained that if DPW staff mows the fields and a problem is noticed, they can fix it. If outside contractors mow the fields, they do not necessarily tell anyone about problems. As well, they mow the grass even if it is wet leading residents to complain and be upset. She discussed that the fertilization of the fields has been privatized. Mr. Wider stated that it must be considered if the Recreation Department is asking too much; does it have to be pristine? He would like to consider privatizing the grass cutting as has been done with the fertilization. He requested outside pricing for mowing the fields be obtained by Town Meeting. He stated he is not convinced this issue is resolved, and they have to buy the lawn mower. Ms. Robinson stated the needs of residents are the highest priority. She stated the DPW wants to replace the lawn mower with one that has efficiency measures. She said she can obtain some contractor prices; however, Ms. Proto and Mr. Rigdon have explained why having the grass mowed by the DPW is important for the fields. Mr. Wider stated he had no further questions except on zoning.

Mr. Rich McCarthy, Town Planner, provided an overview of the previous night's Planning Board public hearing to discuss proposed changes to the Norfolk Zoning Bylaws. As related to the B-1 Zoning Articles, items were removed including reducing the parking from 1.5 to 1.0 spaces per dwelling unit for multi mixed-use development. He reviewed other recommended changes to the language. He stated that holistically there was a recommendation to not move forward with the changes to building height; that proposed recommendation did not pass. He stated that the Planning Board, at the end of the meeting, recommended bundling these items together. He stated there were many questions relative to the necessity of the changes and what they were trying to accomplish with the changes. There was a concern that there may be opportunities that some of these changes could be used in the wrong fashion. He reviewed the cap in the building footprint of 15,000 sq. ft. in the B-1 District. The size of potential buildings that could be built in the

Town Center was a significant concern for people. He noted that changing the density to allow more residential in the B-1 District raised concerns. The difficult part when making bylaw changes is what could happen; people are often defensive about the possible negative changes. The intention of the changes is to have economically viable projects in the Town Center. He stated there were about 15 to 20 people at the meeting. Planning Board Chair Walter Byron stated many of the concerns raised at last night's Planning Board meeting regarded current zoning and what a developer can do in the Town Center. He thinks the proposed B-1 Zoning Articles address many of the issues. He stated that no set of zoning articles is perfect. If these go forward to Town Meeting and get adopted, there will still be areas to improve. He explained that zoning is only one aspect of development, the other aspect is infrastructure. Regarding this set of zoning articles, the Select Board can take the Planning Board's recommendation to bundle them, make their own recommendation and unbundle them, or postpone an article on the floor, such as building height. Ms. Van Tine said she is bullish on having it presented as one article. She noted that some of the concern last night was vetting the unanticipated consequences.

Mr. McCarthy stated that taking away the 15,000 sq. ft. building footprint cap was a concern. He noted the Walgreens building footprint is about 16,000 sq. ft. It was on the plan as a variety store use which was above the 15,000 sq. ft. cap already embedded in the bylaw. Perhaps, capping should not be done by use-type. He expressed concern that if it is bundled and there is a concern about one aspect, the whole article fails. Mr. Wider agreed that if it is bundled, all it takes is one item of concern, such as roof height, and it all fails. Everyone will say we tried and we failed, so let's not try again. He discussed infrastructure. He noted that traffic is already a problem in the center of Town, and he discussed the impact of adding a large residential component to the center. He suggested that this item may need to be tabled and infrastructure and water use be addressed first. He does not want to see residential houses built behind the train tracks. It will take time to get the Town Center we want, but we do not want to rush into it. Mr. Byron said if tabling this is chosen, not getting back to it for a number of years is a risk. He recommended the Select Board go forward with it.

Ms. Claudette Healy, 66 Wildwood Road, stated she attended last night's Planning Board meeting and what she heard at that meeting is not what she is hearing now. The people at the Planning Board meeting had a lot of questions; they do not want this item bundled. She stated the people want to be able to see it and vote on it. She stated the new police station was \$3 million over budget. She stated if the Select Board wants the townspeople to trust them again, then do not hide from them. The Town Center should not be built for developers to make a profit, it should be for the townspeople; the available water must be considered. A commercial building takes a lot less water than a building with residences above it. She stated that traffic was not addressed last night and it is a big concern. She stated that developers will come without residences above the commercial building. She stated that this item should be tabled. Mr. Kalkut stated that the bundling being discussed is not related to hiding articles or language or sneaking something in; the bundling being talked about is taking individual components of zoning changes and making them one effort so they can work in coordination with each other to get a great town center. Mr.

McCarthy agreed that there were reservations from the townspeople last night. He stated that to put together a meaningful traffic study on a zoning change is difficult. There is value in doing a traffic study with developments in mind. He noted that adding any use to a vacant piece of property will create some traffic. Traffic would get addressed in the permitting process if anything were to pass. Mr. Wider suggested they could determine what the greatest build-out would be and make assumptions from that to determine traffic. Mr. McCarthy said that if a traffic analysis was done and put out to the public, the Town would be held to it.

Mr. Byron stated that one item that was on the table 10 years ago was to work with the MBTA to move the train platform. Ms. Van Tine suggested the MBTA might consider lifting the gate when the train is stopped. Mr. Kalkut stated he has spoken with Ms. Robinson and Mr. McGhee about water as it is a consideration. Mr. McGhee told them that two years ago the Town had an assessment done taking into account some very large developments that were in the queue at the time. They were told that the water capacity would take the Town through the next 10 to 15 years considering the Town keeps the same rate and pace of growth. Discussion commenced about growth and future water use.

Mr. Wider said he thinks it is a problem to bundle the B-1 Zoning Articles. Ms. Van Tine discussed that she heard various concerns at last night's Planning Board meeting; therefore, if this item becomes unbundled, many sections will probably fail. These items are so interconnected that they need to go together. Mr. Wider agreed that if it is bundled, it will probably fail. He suggested keeping some bundling and separating other components, such as building height. Mr. McCarthy suggested some items need to be tied together while others could be unbundled. He noted the Town Meeting will allow people to discuss it more. Mr. Kalkut, after conferring with Mr. McCarthy, summarized that the pieces of the currently proposed article that should be bundled together are I-7 and I-7a, and the two definitions; the rest could be unbundled and become separate articles. Ms. Robinson confirmed the order of the articles in the Warrant. Mr. Wider and Ms. Van Tine agreed that this should be brought to Town Meeting to let the voters decide on the direction of the Town Center.

A motion was made by Mr. Kalkut that with the friendly amendment to split Article I into individual articles, except the last three parts which will continue to be bundled, the Select Board will execute the Warrant for the Fall Special Town Meeting to be held at Freeman-Kennedy School on Tuesday, November 19, 2019, at 7:00 PM. It was seconded by Mr. Wider. Discussion: Mr. Wider requested to discuss Article 2, the F.11 process. He stated that he does not want this process left in the hands of the Town Planner and the Building Commissioner. In most towns, it is a Planning Board function. This is their expertise. He stated that it is difficult to have the Building Inspector who has to enforce zoning also be the person approving what can be used in zoning. This is not good; the Town is in litigation now because of it. The F.11 process should be done by the Planning Board. He does not agree with this Article. Ms. Van Tine said her recollection from last night's meeting was that this was the best method; the full Planning Board should not have to convene for routine things. Mr. Byron said this was done for expediency such as for a change in use for

occupancy. Mr. McCarthy and Mr. Bullock are on site four days a week. The Planning Board is not available every day. However, the Planning Board is available to adjudicate a dispute. Mr. McCarthy will be looking over Mr. Bullock's shoulder with a second pair of eyes; that is adequate. Mr. McCarthy said he disagrees; inherently having it with the Planning Board is the right place. He thinks it helps people to organize their material in a timely way because they have to go to the Planning Board with an agenda. Usually, a Planning Board meets two times per month. It is not a staff decision; it is a Planning Board decision. He said that to change the Article now would be outside the scope for Town Meeting in November. Mr. Byron stated that if Mr. Wider's view prevailed, it would not happen until the next Town Meeting. An interim solution is better than what is being done today having the Building Commissioner as the sole decision maker. This proposal is adding a check and balance. Mr. McCarthy noted that at least in this proposed change a Site Plan is required. Ms. Robinson confirmed the Warrant must be posted by next Tuesday. Mr. Kalkut stated he agrees with Mr. Wider as having a singular individual who operates on both sides of the process offers a negative perception. Ms. Van Tine stated that if this article goes to Town Meeting as written, Mr. Kalkut could stand up as a citizen and state why he believes this article should fail. Mr. Kalkut confirmed this will go to Town Meeting as is. Mr. Rosenberg stated an advantage of having this process go through the Planning Board would allow for a more open appeal process. And so voted. All were in favor.

Please consider re-affirming Kevin Kalkut as the Select Board's representative to the B-1 Zoning Working Committee

Ms. Robinson stated there was some question as to whether the Select Board prior to this one had actually voted on Mr. Kalkut's nomination to be the Select Board's B-1 Representative. To avoid any concerns that he is eligible to vote, she recommended that the Select Board vote to reaffirm this appointment.

A motion was made by Mr. Wider to reaffirm that Kevin Kalkut be the Select Board's representative to the B-1 Zoning Working Committee. It was seconded by Ms. Van Tine, and so voted. All were in favor.

Please consider approval of the following warrants:

A motion was made by Mr. Kalkut to approve the following warrants:

- 10/11/2019 07P20 and 07PS20 \$836,801.44
- 10/15/2019 16V20 \$194,917.56
- 10/22/2019 17V20 \$68,001.42
- 10/22/2019 17VSA20 \$2,148.30

It was seconded by Mr. Wider, and so voted. All were in favor.

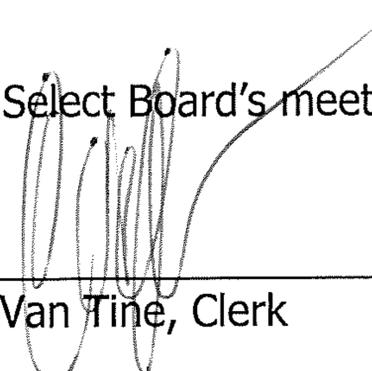
Ms. Robinson noted the Tax Classification hearing is scheduled for November 21, 2019 at 4:00 PM. She asked if the Select Board members would be available after that meeting for candidate interviews for the DPW Director. Select Board members informally agreed they

would be amenable to one continuous meeting session. Ms. Robinson noted that the current DPW Director is planning to leave at the end of the year.

At 11:00 p.m., a motion was made by Mr. Wider to adjourn the meeting. It was seconded by Ms. Van Tine, and so voted. All were in favor.

The next meeting will be held in Room 124, Town Hall, on Tuesday, November 5, 2019, at 7:00 p.m.

This is a true and accurate report of the Select Board's meeting of October 29, 2019.



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CiCi Van Tine, Clerk