

Board of Selectmen

Date of Meeting: Monday, April 25th, 2021

Time: 6:30 PM – 7:32 PM

Members Present: Chair Matt Mecum; Selectmen Jamie Underwood and Seth Ridinger; April Steward, Town Administrator, and Alison Mack, Administrative Assistant to the Board

The meeting commenced at 6:30 PM.

Financial Warrants were signed in agreement.

Pledge of Allegiance was recited.

**6:30 P.M – PUBLIC HEARING: Alteration of Premises: Central Street 119 Realty d/b/a Bay Path Barn:**

Opened Public Hearing at 6:30PM.

Owner Jack Wentzell of Bay Path Barn stated that he plans to put in two horseshoe pits and would like to be able to serve alcohol outside in the area.

* Would only go until its dark; not lights outside or music
* Portable bar that can be set up right at the window
* People would have to come up, inside the building, or to the portable bar
* Not a bar; not walk in and have a beer. Only during events; weddings, funerals… etc
  + Events normally occur Saturday and Sunday
* Resident Mondi Rambarran introduced herself to Jack as she sat at the table

Matt stated that due to zoning the Building Inspector came back and stated that Mr. Wentzell needed to go to the Zoning Board of Appeals (ZBA) in order to get approval based on it being a part of the Heritage District. There are a few ways the can continue to do this:

1. Continue the Public Hearing until after he meets with the ZBA
2. The Board of Selectmen can approve this pending on the decision of the ZBA
3. Deny the approval

Jamie stated that he is not changing the hours, just looking to have people outside. His thought is that its better to have it controlled as opposed to what it is/could be now. Its not something that is going to be year-round.

Mondi asked about noise control outside. Jack responded that right now, they shut down the bar inside at 10:30 PM; guests are required to clean up after themselves. They then spend 2-3 hours cleaning after people leave. There will be no lights outside so people will have to leave when it gets dark. There will also be no music. Mondi stated that her concern with bringing liquor outside is that she is afraid people will get too rowdy. They keep their yard and area around their house nice and spend a lot of time outside.

The consumption area would only be approved for the 90’x50’ area that Jack submitted. Jack stated that you are not allowed to bring your own liquor onto the premises. Its more controlled.

Seth stated that he had a few questions. As the BoS are the licensing authority in town, their primary concern with issuing a change of premises would be:

* + How do you really control that space; prevent alcohol from leaving that area. Prevent underage people from being served.
    - Jacks responded that they have two women bartenders who are good and Donna who would enforce it.
    - Matt stated that the outdoor premises must be fenced or roped in as well.
    - Jack stated that there are blocks there.

Seth stated that it might require a fence or something to impede anyone from stepping over into the area. Matt stated that Jack should be sure to ask building inspector about the entrance and exit stipulations that may affect the occupancy.

* What are the specific legal standards are that have yet to be met?
  + Jamie stated that its based-on safety concerns; delineating exactly where alcohol can be served.

Mondi stated that she would appreciate it if they were approved to serve alcohol outside that they look at it carefully. Matt stated that all we can do is grant the license pending the approval from the ZBA, and then it would also have to get approved by the ABCC.

Seth stated that he spoke with Stephen earlier and he stated there were very specific legal standards that need to be met and addressed. He would like to get Town Counsels input on it before moving forward. Jamie stated that at least we know the alcohol is being controlled inside and does not have as much of an issue with it being outside because every other business that has a liquor license in town has an outside also. Mondi responded that that those establishments aren’t located in a residential area like this one is. Jamie stated that their job is to control the atmosphere and put in regulations. Jack stated that for a living he testifies in court and is very careful about what he does because he doesn’t want any problems. Mondi stated that she wants a good relationship with her neighbors. Jack added that he is adding a waterfall to the other side of the property so the wedding parties can take photographs around it. Mondi stated that they have lived in their house for 25 years and have never had issues previously.

Town Planner, Paul Dell’Aquila stated that this could be going before the ZBA or the Planning Board, and that has not been determined yet. It is an extension of non-conforming use, which usually requires a ZBA special permit, or it could be considered a commercial use and that would be going before the Planning Board. One way or the other, this will be subject to an additional hearing. Each one would be able to add other controls on this.

The Board decided to continue the hearing to Monday, May 25th, assuming there is a determination from the ZBA or the Planning Board.

Matt stated that the whole outdoor dining thing is new to them because of COVID, which was good because they got to see how they all work. Jack stated that he will call Tony tomorrow.

*Jamie Underwood made a motion to continue the Public Hearing on the ABCC Hearing on the Alteration of Premises: 119 Central Street Realty dba Bay Path Barn until May 25th at 6:30PM, Seth Ridinger seconded. Voted all in favor*

**Tahanto Regional Middle/High School Girls Varsity Basketball Team:**

Matt thanked everyone for coming and welcomed the Midland Wachusett League Champion Girls Basketball team. The Board read off the girl’s names and presented them with a certificate for being the District Champions.

**Discussion of a Master Plan Implementation Committee:**

We need to keep in mind how we want to have a committee and how we want to implement this master plan. The Committee would like to discuss it further and come back with some questions. Good way to get it done and hold ourselves accountable. The plan is robust. There is a lot there and it’s a plan that doesn’t come from this building, it comes from all the resident’s input, surveys, interviews – etc. Hopefully it’s a true reflection of what residents want. It’s not a step-by-step instruction guide on how to get something done. Going to need a good group of people to hold people accountable, work with the other boards, committees, and offices. Matt is positive that there are things need to happen first and this group is going to have to manager that. Jamie stated that he sees this group as ever changing. Seth agreed with Matt that having a group that’s going to implement the plan and make sure the various boards are held accountable. Town Planner, Paul Dell’ Aquila stated that some communities you will see the Master Plan Committee evolve, or a subset to be the implementation committee. Another way other towns do it is through the Planning Board. They have a part time Planner now that will be able to help out and help identify different opportunities. Matt stated that at the next meeting he will update the Board once he gets some more answers.

**Town Planner Report:**

Please see below is a summary of my main activities over the past month. As always, please let me know if you have any additional questions.

* Prepared for and staffed the 4/11/22 ZBA meeting focused on the proposed LIP project at 100 Shrewsbury Street. That hearing was continued until May pending additional peer review.
* Attended Groundbreaking Ceremony for Rand-Whitney project at 160 Shrewsbury Street on 4/14/22.
* Participated in the Master Plan Steering Committee meeting on 4/14/22.
* Participated in a Municipal Vulnerability Preparedness (MVP) workshops held from on 3/30/22 and 4/6/22. CMRPC is now preparing a draft plan that will be reviewed by the Core Team ahead of a public presentation.
* The Planning Board will be holding a special meeting on 4/28/22. Among other routine items, the Board will hold a hearing on the proposed modification to the Accessory Apartment Bylaw.

*Grants Updates:*

* We are still awaiting word on the Shared Streets grant through MassDOT for pedestrian and safety improvements along Rt. 140 near the Sewall Street intersections and adjacent commercial node.
* I have begun preparing language or a formal Hillside Master Plan for a May application to the state’s One Stop.

Will know a bit more at the next meeting. Not speaking for the chair but –

* Pending feedback we receive from third parties.

Ground breaking up at Rand Whitney on the 14th. Great to see a lot of town departments ---

* Kraft –
* Concluded our workshops with the MVP

Did a great job at the steering group.

* MVP folks will be putting a report together for the core teams to review.
* Talk about the Longley Hill subdivision.
* Barnard Hill Project: initial proposal of phase three. Culdasac. Phase three would go off to the left at the top of the hill. Developers are coming back with an initial discussion.

**Approval of meeting minutes: 04/11/2022:**

Relisten to article 14 and rewrite what Seth spoke about regarding the feasibility study.

*Seth Ridinger moved to approve the minutes from 04.11.2022 with the after-mention changes, Jamie Underwood seconded. Voted all in favor.*

**Report of the Town Administrator:**

1. *ATM Warrant:* The warrants for Annual Town Meeting were mailed out this past weekend. There are extras available at the Municipal Light Department and the Town Clerk’s office if people are looking for printed copies. You can also download an electronic version from our website.
2. *Annual Town Report:* Ali has completed the Annual Town Report for 2020. Once again she has done a fabulous job. We have copies here for you tonight and will be passing them out to voters at Annual Town Meeting next week.
3. *State and Local Fiscal Recovery Funds Reporting:* SLFRF reporting is due by Friday this week. So far, we have only spent ARPA funds on rapid test kits, COVID nursing services, and the stip0ends for COVID testing, for a total of $19,667.75.
4. *Rand-Whitney Groundbreaking:* Rand-Whitney held their groundbreaking ceremony on Thursday, April 14th. Chairman Mecum, Paul Dell’Aquila, Tony Zahariadis, and Kim Ames were all able to attend to represent the town. I have included the press release in your packet.

Seth thanked both April and Ali for working hard on the warrant. Ali thanked Seth but let him know that it was all April.

**Building Inspector Report:**

* In BoS packet

**Vote to Lay Out the Way: Longley Hill:**

There are still some outstanding issues that other boards need addressed. April stated that there are some conservation issues and Planning Board issues, and still waiting for Graves Engineering Report to come back. She ran it past Town Counsel and his advice was that you can still lay out the way but state on the record that the board understands there are some unfinished or open items for the subdivision for the conservation commission and if those are not resolved by the date of the Annual Town Meeting, the Board of Selectmen will not support the town accepting the way at town meeting. We are still giving the developer the opportunity to complete the work to the satisfaction to the town, that way we are upholding our end of the bargain and its going to be on him to complete the work.

*Jamie Underwood made a motion to lay out the way for Longley Hill, understanding that there is some unfinished and open items for this subdivision with the conservation commission and if those are not resolved by the date of town meeting, the Board of Selectmen will not support the town accepting the way, Seth Ridinger seconded. Voted all in favor.*

**Review/Approve and Sign Building Inspectors Contract:**

Tony and Stephen were not in attendance so the board decided to push until the Meeting on May 23rd.

**Review/Approve the New England Wood Carvers Association use of Town House/waive fees: Steve Berard:**

Jamie stated that he would like to know a little more from Bob and Jack. The Board agreed that they are uncomfortable with waiving the fees. They suggested asking Steve to send more information; what its going to include.

**Vote to approve the structure of and advancement through the compensation plan process:**

April sent this to Kim Rozak and she had some minor changes. Struck item D, Section C. After taking that out, there were very little changes and thought it was straightforward.

*Jamie Underwood made a motion to approve the structure and advancement through the compensation plan process based on the last revisions by town counsel, Seth Ridinger seconded. Voted all in favor.*

**Selectmen’s Items:**

Feasibility Study: Seth stated that at one point it was mentioned that they give us some type of analysis on what they are going to do with the vacant buildings if we move forward on building the new one. He would like some analysis on what it would take to renovate the existing buildings to make meet the necessary demands of the growing town. He wants to make sure that is apart of the feasibility study. If residents ask, we can say that all possibilities have been studied.

April stated that Town Counsel suggested if it gets approved, we form a committee and work with the feasibility study to look into the reuse of buildings. Seth stated that he wants to make sure the Board is on the same page that this is apart of the feasibility study.

*At 7:32 PM, Jamie Underwood made a motion to adjourn, Seth Ridinger seconded. Voted all in favor.*

Respectfully submitted,

Alison Mack, Assistant to the Board of Selectmen

**Meeting Materials**

Agenda On File in The Board of Selectmen’s Office

Town Planners Report On File in The Board of Selectmen’s Office

Building Inspectors Report On File in The Board of Selectmen’s Office

Town Administrators Report On File in The Board of Selectmen’s Office

Compensation Plan On File in The Board of Selectmen’s Office

Bay Path Barn – Alteration of Premises On File in The Board of Selectmen’s Office

Building Inspectors Contract On File in The Board of Selectmen’s Office

Draft Meeting Minutes 04.11.2022 On File in the Board of Selectmen’s Office