



## Board of Selectmen

Date of Meeting: Thursday, December 5<sup>th</sup>, 2019  
Time: 6:30 PM – 8:27 PM  
Members Present: Chair Jim Woods; Selectmen Matt Mecum and Jamie Underwood;  
Town Council Stephen Madaus, and Alison Mack, Administrative  
Assistant

The meeting commenced at 6:30 PM.

Financial Warrants were signed in agreement.

Pledge of Allegiance was recited.

**Selectmen's Meeting Minutes:** The minutes of 11/4/19 and 11/18/19 were presented.

*Matt Mecum made a motion to approve the meeting minutes for 11/04/19 and 11/18/19, Jamie Underwood seconded, Voted all in favor.*

**Reports:** Town Administrator, Chief of Police, Fire Chief, Building Inspector and Highway Superintendent

### **Town Administrators Report:**

1. I received a phone call from Scott Dwyer, Operations Manager for the United States Post office on Monday, November 25<sup>th</sup>. He apologized to the town for the issues we have been experiencing. If there are continued problems with mail delivery in town, residents will need to report them and are encouraged to fill out complaint forms on the USPS.COM website. The local phone number to the Boylston Post Office is 508-869-6392 if you would like to call the post office directly.
2. I received eight applications for the HR Administrator Position. The chair and I interviewed the top three candidates and would like to recommend Mr. Jeffrey S. Vander Baan for the position. There is a copy of his resume in your packet for your review. If the board is in agreement with our recommendation, we would like Jeffrey to come in for an appointment at the board's meeting on Monday, December 16<sup>th</sup>.
3. FY21 Budget info was distributed this week. The budgets are due back to my office on Thursday, December 26<sup>th</sup>. I have included a calendar in your packet for your information.

### **American Youth Football Team Awards – Super Bowl Champions**

Jim Wood stated that the Central MA Youth Football Conference Division 1 Super Bowl Champions came into the meeting tonight to receive their Certificates of Achievement from the Board of Selectmen. The Board congratulated each player and coach while giving out the certificates.

Last year of football for this group of kids; they will be heading off to high school next year.

### **Discussion on a LIP Program**

Lou Louvain, Attorney on behalf of Steve and Julie Vinacassa, came to the BOS meeting tonight not for a decision, but to begin potential dialogue/conversation. Shrewsbury Street parcel; they are *considering* buying the land for a potential 40B project. There are two types of 40B projects; (1) local initiative and (2) not local initiative. They are here to give a brief overview of the Friendly 40B (local initiative); allows the town to discuss early on, preapplication to the ZBA their concerns to get addressed. It allows the town early on to give their input or change things; find out why things can't change. If the Board endorses the project, a joined application is submitted to the DHCD; the applicant and the town both sign the application indicating it is a local initiative program application. DHCD reviews it, sends it back to the town, and asks for comments; Same process as non-local initiative project.

- Can't apply to board of appeals until you have a site approval letter for any 40B Project.
- LIP: Friendly 40B Project
  - Doesn't restrict or affect the ZBA in anyway
  - Benefit: Some of the work has been done for the ZBA
  - Negotiated between town and developer
  - allows early discussion of early preference
  - rental project: 25% of units are going to be affordable; town gets 100% of units to count on subsidized housing units (proposing about 65 units)
  - Affordability: Isn't just for low income people
  - unrepresented class of people that may have to live out of town to work in town
  - If you qualify for a rental unit and next year you make more money, you either have to pay a flat rate, or would need to leave the place if you do not hit the qualifications

Patrick Healy from Thomson Listin Associates; working with Vinacassa

- Sewall Street and 140: originally a 40-acre site

Patrick Healy continued to explain that 20 acres were purchased, leaving just under 19 acres available. Patrick continued to explain the layout of the project and how it would impact the surroundings. The plan is to have 6 apt buildings, each with 12 units; each unit would have 2 parking spaces.

Matt Mecum asked if there would be a driveway on Sewall and Route 140. Patrick stated there would be a driveway to both. He stated that when meeting with Mr. Manter, the town had some concerns with the traffic in the area. They plan on leaving a significant set back for the site if changes need to be made. Using a Nitrogen Removal system they are allowed to have a maximum amount of 84 bedrooms; max 65 Units: not certain (1, 2, and 3 bedrooms)

Lawyer stated that they tried to come in here as early as possible to have the towns input from the beginning; They are meeting very early in the process with the Board to trying and work with them from beginning to end. As a LIP Project, if traffic mitigation were to occur, either the contractor would do the work, or pay for the work; saves the town all that precursor money by having the developer do all the work and the Town gets a bigger bang for their buck.

Jamie asked if the State has a guideline for a LIP project for a minimum number of bedrooms, the lawyer responded that the amount is at least 10% three bedrooms.

Patrick showed pictures of a similar project that is currently underway by Vinacassa. There is a dog park on site at this development.

Jamie brought up that some state programs allow residents of the town to get first pick/lottery choice; the lawyer stated that this is something that can be further negotiated in the process; commitments between the contractor and the town. Patrick chimed in that this is a benefit to a LIP Project and they currently have 2 going on right now:

- Kathy Gebert from Northborough - Old Intervail Farm – Route 135

Lawyers suggestion to clients when doing a LIP project is that unless you know the town is really grumpy, you should go to them first prior to the board of appeals. The worst thing is the town can say no and we move on. Normally we would have gone to the affordable housing committee, but Boylston doesn't seem to have one at the moment and we are here to ask whom we should speak to.

Bill Manter stepped in and suggested that he may be the only member on the Affordable Housing Committee. Bill suggested that they come here and frontload this meeting. Bill brought up some circumstances regarding the Planning Board: Area is zoned, nonresidential; flexible business district in the back. As far as zoning goes, the front parcel is a very desirable piece that we always expected to be commercially developed; to take this out and put it as residential is a major change to what would have been a master plan for that area. Matt Mecum asked Vinacassa about the small commercial piece on his layout and if he could elaborate a little more. Steve Vinacassa spoke about his previous projects and gave names of references from other towns; stands behind his work and guarantees a good product.

- Cobblestone Village Apartments, Millbury
  - 62 2 bedrooms, 12 1 bedrooms
    - As soon as they are up, we have a list of people wanting to move in
    - Build to the market; garages and dog parks
    - Upscale type of living; life style

Lawyer: LIP Project: You can be more involved (The Town)

- Any direction that you can give us tonight is what we're looking for

Matt Mecum asked Steve if he retains ownership of the buildings; Steve responded yes. He then asked him what the timeframe was to when he would like to start and they replied that as soon as you are able to get going, we can get going.

Highway Superintendent Steve Mero asked if it was going to be a Private Way or Public Way, the Lawyer answered, totally private; not maintained by the town at all. Jim Wood stated that several people should get involved with them for a discussion; Jim Wood pointed at April and Steve Mero.

Town Council, Stephen Madaus stated that the Town of Boylston is at a disadvantage because we do not have a Town Planner. Stephen stated that the vote to approve a LIP Project is from this board; set up a small group, could include a BOS member. LIP just facilitates the site eligibility. Stephen asked if we need a housing production plan to qualify; the lawyer responded no. The lawyer stated that if you create a housing

production plan and have it approved asap, they come in and build these units, it would give the town protection for a couple years.

Jim Wood suggested getting a group of about 4-5 people together; April Steward, Bill Manter, and Steve Mero were a few of the names thrown out there.

Bill Manter spoke that he did get the letter from MA Housing yesterday; we now have 40 units of affordable housing in town; we do have more than 40 units in town however we do not have anyone able to record them, so they fall off the list. Bill also strongly urged the developers to look at the intersection and have the only access on South Sewell and not route 140; shouldn't add any more curb cuts on 140. To get this to the point of profitability for the developer we will need buckets of money for mitigation. Jamie stated that there should still be money available from another developer. Bill Manter stated that the Governor and State of Affordable Housing is stating that there is a shortage of affordable housing. Need support from MA DOT and the state to get behind the master plan to correct these streets; we need a much larger traffic solution for what is going in there. Jamie brought up that we already have a study done for the traffic flow in this location.

Matt stated that there are certainly plenty of concerns and that's not to say we can't address them one way or another. We would be foolish to not continue the conversation. We need to put together a group and should have more information regarding this at the next Board of Selectmen meeting.

#### **Highway Superintendent's Report:**

- Finished backfilling Cross St and Mile Hill Road from this year's paving projects
- We will backfill yard with loam in the spring
- Will continue patching holes
- The crew and I attended a "Snow and Ice Training" hosted by the DCR and MWRA
- Clean up from tree removal on East Temple
- Temp repair of drain pipe on Diamond Hill
- We treated roads on November 17<sup>th</sup> and on November 21<sup>st</sup>
- Prepped equipment for storm; worked a few hours on November 30<sup>th</sup>
- Plowed and treated all streets and roads from Sunday, December 1<sup>st</sup> (afternoon) until end of storm
- Serviced Trucks
- Hosting a Hydraulics Refresher Class; town employees/other towns will attend

*Private Ways:* Are we still considering plowing private ways?

- If we are going to continue doing them, we need to send them a letter in the Spring letting them know that if the roads need repair, it would be their responsibility
- Private ways: qualifies as private property
- 12-15 private ways in town currently

Stephen mentioned that there is a statute that says you can't spend public funds on private property; private ways qualify as private property. There is a General Law it would need to be accepted at an election; The BOS can designate a list of private ways. Jim stated

that he believes it was done at a town meeting in the late 70's or early 80's. Stephen stated that if the ways aren't maintained by their owners, then the town does not have an obligation to continue to care for them. Matt Mecum asked how many private ways the town is covering, and Steve Mero responded about 12-15 roads.

Matt Mecum stated that you may have some residents asking why they pay the same taxes and not get the same services. Jim asked for a list of really bad private ways be provided for review. Discussion continued on how residents may react if changes were made regarding the plowing/not plowing of private ways. Jim believes that there was an article back in the late 70's, early 80's regarding private ways; Steve said he would look into it and get back to the board.

### **Chief of Police Report:**

- Crime Stats were presented:

*Vehicles: "High Rollers"*

- Wants to think about a warrant article for a 2<sup>nd</sup> vehicle
- They have money in the budget for one already

*Motorola Meeting:*

- Interested in seeing what the cost of getting all the Town Depts together on the same frequencies
- Lots of things that go into it; vehicle radios, portable radios, antennas.
- \$1.5 Million proposal

*Schedule:*

Nov 6<sup>th</sup>: Dispatcher Union Rep met with the Reps regarding contract

Nov 7<sup>th</sup>: Tower Hill; Proposed changes review

Nov 12<sup>th</sup>: Sgt Thomas and Chief; Marlborough Meeting

Nov 13<sup>th</sup>: Sgt Annunziata attended Sex Offender Training

Nov 13<sup>th</sup>: Met with Superintendent Zanghi

Nov 19<sup>th</sup>: Met the new Boylston Academy Director Joanne Gardnier

- New academy starting in Feb

Dec 4<sup>th</sup>: Ticket Hearings

Dec 9<sup>th</sup>: Executive Session

Dec 12<sup>th</sup>: Meeting

Dec 13<sup>th</sup>: Taser Recertification Training

Dec 17<sup>th</sup>: Blue Line Trailer: Weapons qualification

Dec 26<sup>th</sup>: Draft Budgets are due to the administrator

Jan 13<sup>th</sup>: Special Town Meeting

Jan 27<sup>th</sup>: Budget Brief to FinCom

### **Tower Hill Botanic Garden:**

Grace Elton came to speak upon the Tower Hill Property

*Changes to property:*

- No barriers; gatehouse will be eliminated, no stops until you get out of your car
- Removing all steps so its ADA accessible

- Any lines will be pedestrian lines to our visitor center
- made things a little smaller to keep more control over crowds

*Front Entrance:*

- Open up sight lines for safety
- Working on a variance with the conservation commission
  - Still on hold with the conservation commission
  - Working with them regarding wetlands; state as well
  - Meeting with Planning Board in January
- Gate will be moved so tractor trailers are able to move onto our property without waiting for someone to come and open the gate

Construction: Jan 2<sup>nd</sup> construction begins on Visitor Center

- Land clearing: once everything thaws
- Guard House will be coming down: most likely summer, once everything is operational at visitor's center
  - Check in will be all the way at the top of the hill
- Have a police officer detail every night for events

Chief of Police – Has been involved for a couple years now

- Will be a happy camper when the gate house comes down
- They have been very transparent with everything that they have been doing

*VHB:*

- Not looking for a decision, looking for advice
- Binot K. – Traffic Engineer/ Fed Ex project
  - Options: Stripe a left turn lane on French Drive
  - Usage of that lane would be most used during winter
  - Roadway design standards require a certain offset from the edge of the road.

Jamie stated that there is a considerable drop off in that location and taking away the break down lane could be an issue. The Traffic Engineer stated that it is an acceptable amount of space. Steve Mero mentioned that The Police Chief and himself got together this morning to review the plan and do not support the plan that is in place; nothing has been coordinated with French Drive itself. Binot K. mentioned that the intention was to present the idea of being able to put a left turn pocket. The Chief responded that they should have presented this to the people on the ground prior to wasting the Board of Selectmen's time; they want to help you, but they can't sign up for that plan at this point. The Chief suggested meeting with the people on the ground prior to meeting with the Board.

*Poe Ave:*

Jamie: Private Ways being selected: Poe Ave

- Blockage is still there
- Safety vehicles to get down there, they need access and couldn't at the moment

Stephen: Private ways that are open to the public; if the town has been using the private way for over 20 years or establish that its been open to the public and tell whomever is

blocking the way to remove the blockage because the town has acquired the right to the private way.

- Appears initially that is the case here. The abutters have their own private rights to travel the private way. Matt Mecum suggested sending a letter from the Board of Selectmen before sending one from the Highway Superintendent; hopefully it gets resolved amicably.

*Jamie Underwood made a motion to send a letter to the resident at Poe Ave regarding keeping the way open for public usage since it has been for 40 years, Matt Mecum seconded. Voted all in favor.*

*40B:*

Matt Mecum stated that Bill Manter touched on it; Vote to send an email to the state that will give us our credited 40B housing list. We should look at it and make sure it matches up with what we have; make sure we have everything correct regarding land that isn't available for building since that will help lower our liability for 40B. Jamie mentioned that we were very low regarding 40B and that some of the houses have fallen off of the list. Matt stated that this requires our attention and we need to make sure we are getting the credits. Stephen stated that this is the disadvantage of not having a Town Planner. Matt stated that we need to find out where we are at, work with the assessors to see where they are at and then figure out how we want to tackle it. Stephen suggested using Clark University or CMRPC for the project.

*At 8:27 PM Jamie Underwood motioned to adjourn, Matt Mecum seconded; Voted all in favor.*

The meeting was adjourned at 8:27 PM.

Respectfully submitted,  
Alison Mack, Assistant to the Board of Selectmen

### **Meeting Materials**

Agenda	On File in The Board Of Selectmen's Office
Meeting Sing- In Sheet	On File in The Board Of Selectmen's Office
Town Administrator's Report	On File in The Board Of Selectmen's Office
BOS Meeting Minutes 12/05/19	On File in The Board Of Selectmen's Office
BOS Meeting Minutes 12/16/19	On File in The Board Of Selectmen's Office
Building Inspector Reports	On File in The Board Of Selectmen's Office
Chief of Police Reports	On File in The Board Of Selectmen's Office
LIP Project Plan	On File in The Board Of Selectmen's Office
Football Team Roster	On File in The Board Of Selectmen's Office