



Board of Selectmen

Date of Meeting: Monday, January 16, 2018
Location: Town Hall, 221 Main Street
Time: 6:01 PM – 8:56 PM
Members Present: Chairman James Wood; Michael May; James Underwood; Stephen Madaus, Town Counsel; April C. Steward, Administrative Assistant to the Board

The meeting commenced at 6:01 PM.

Financial Warrants were signed in agreement.

Pledge of Allegiance was recited.

Marty McNamara will not be attending tonight's Selectmen's meeting, he is in Clinton representing the Town of Boylston at a discussion on the closing of the GI Department at Clinton Hospital and the impact that will have on the surrounding community.

Report of the Town Administrator to the Board of Selectmen:

- **Highway Laborer Resignation:** One of Our Highway Laborers, Jeffrey Cathline, has resigned effective January 26th. We wish Jeff well in his future endeavors. We have begun the recruiting process for his replacement.
- **Stile Road Street Light Request:** We have had a request from a resident for the installation of two street lights on Stiles Road. Mark Barakian has reviewed the area and has recommended that one light would be sufficient. *Mike May motioned to approves the installation of one street light per the recommendation form Mark Barakian; Jamie Underwood seconded; voted all in favor.*
- **MassDOT Conference Call:** On Wednesday, January 10th, a conference call was held with MassDOT, the Town of Shrewsbury, and representatives of Scannell regarding the Route 140 roadway and the proposed 4th leg of the intersection. It was agreed that cars would be allowed to make U-turns at the intersection. Mark Donahue will request Scannell pay 100% of the cost of designing the 4th leg. The design engineering firm estimates that design will be completed in the March/April timeframe. Construction costs are estimated to be \$300K - \$400K. Shrewsbury will request \$100K at their Annual Town Meeting in May for construction of the 4th leg, with Boylston remaining responsible for the remaining cost. No changes will be made at Colonial Drive until after the 4th leg is completed.
- **Town Hall Septic:** I had told the board about the issues with the Septic System here at the Town Hall. As it turns out, due to root growth in the pipe, eight or ten sections had to be replaced. The Highway Department along with Bob Bourassa cleared the trees and brush from the area over the septic lines so we should not have that problem again. They will plant grass there in the spring, and the area will be mowed on a scheduled basis.
- **Pleasant Lane Deed:** We have received the new deed for the parcel of land on Pleasant Lane. As you remember, there was a small discrepancy that needed attention. It has been resolved and a new deed has been recorded. With some minor changes to the original RFP, this property can be sold if that is what the board wants to do. The board decided to hold off on any decisions regarding this property for the moment due to residents' concerns about the parcel of land located in the same area that is owned by the Greater Worcester Land Trust.
- **Town Administrator AD:** In your packet there are two copies of an ad for the T/A position. One is the original I had given you at the last meeting, the other is one redrafted using some of the language suggested by Mike May. I would appreciate your feedback so we can go forward with advertising. Mike

May and Jamie Underwood would like to see the direct reports lowered from 100 employees to 50 and the ad is good to go out to the paper.

- **Newspaper Article on 40B Projects:** Also in your packet is a newspaper article regarding possible changes to Chapter 40 B that Attorney Madaus made available. Mike May expressed that he would still like to see the town ask for an exemption from Chapter 40B due to the heavy DCR tax penalty that the town is under. He would like us to ask town counsel to draft a letter requesting exemption from 40B and would like a copy sent to the legislature and Senator Harriette Chandler.
- **Red Knights Land Swap:** The legislation related to the land swap with the Red Knights is ready to be filed by Rep. Naughton. There was a minor change to the wording of the bill. Added was a sentence that the land would be used as the Red Knights Memorial Park. The legislature would like the Board to vote to approve this change, and send a letter advising them of the approval. *Jamie Underwood motioned to approve the change to the wording of the bill; Mike May seconded; voted all in favor.*
- **Charter Cable at Cheryl's Way:** Residents of the Cheryl's Way Complex have been having great difficulty getting Charter Cable to install service for them, and have been reaching out to us for assistance. I have been in contact with the Governmental Affairs Office in an attempt to get this resolved. We are still waiting for some feedback.
- **One Day Liquor License:** The Boylston Knights of Columbus has requested a One Day Liquor License to sell Beer and Wine at their Pasta Dinner on Saturday, January 27, 218. The dinner will be I the Parish Hall from 5:00 PM to 8:00 PM. They have also requested that the \$50.00 License Fee be waived. *Mike May motioned to approve the application and to waive the fee; Jamie Underwood seconded; voted all in favor.*

Chairman Wood had received a call from Dan Duffy in regards to the Band Stand located on the Town Common. A lot of people have put hard work into that and it looks like it will need some attention before it gets in any worse shape. Chairman would like to ask the Sherriff's Department to come down and paint it. He asked Bob Bourassa if he knew what shape the roof was in. Bob wasn't sure but was aware of some items that need to be addressed to get it back into tip top shape. Mike would like to see the Lions and the Leos maybe take it on as a community service project. Possibly the two groups could do all the prep work and then have the group from the Sherriff's Department come down and paint it.

Selectmen's Meeting Minutes: The minutes of December 4th and December 18th were presented for approval. *Michael May motioned to accept the meeting minutes as written; Jamie Underwood seconded; voted all in favor*

Jamie Underwood motioned to appoint the following residents to the Town Administrator Search Committee: Brian Gaucher, Scott McCubrey, Joseph Flanagan, Tina LaCroix, Laurie Benson, Lindsay Katz, and Dave Marzo; Mike May seconded; voted all in favor.

At 6:28 PM, on a motion made by Selectman Jamie Underwood and seconded by Michael May, the following roll call vote was recorded to go into Executive Session under MGL c. 30A §21(a) ¶2 to discuss strategy with respect to negotiations with nonunion personnel – Police Chief's contract; James Wood: Yes; Michael May: Yes; James Underwood: Yes. The Board agreed they would reconvene to open session for regular business.

At 6:39 PM the Board of Selectmen were back in open session.

Review/Approve Town House Rental Agreement: The Town House Committee has been working on a new Town House Rental Agreement. It has not been revised or had a rental increase in over the last 20 years. For many years the building was rented only to town residents and now there are several groups of people that have shown interest and have begun renting the property and they are not from town. What we have seen is there is not the same respect and care for the building as seen through the years by residents who rent. The rules are not being followed and they simply look at the way that the rules are written and disregard them. We do not have someone overseeing the rental events, so there is no enforcement of the rules. We have taken a look at what other owns have been charging for rental fees and have set our own rates accordingly. There is

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a group of people that are currently renting and it would affect them as well. The chair opened the floor to comments. Linda Gordon, who runs the New England Line Dancers group, went and explained how it came to be that she began renting the Town House and how an exception was made for her to make it available to town residents who like to dance at the Bay Path Barn and wanted to continue dancing in town after the Bay Path Barn closed. She has now been renting the Town House for the last 8 years. She first started renting the Town House on Monday's and Wednesdays, but now is there four to sometimes five days a week. She knows that the rate is very generous but cited other clubs who give her a break if she rents from them on a regular basis. She would like an exception given to her so that if the rates are changed she will continue to be able to pay the residents rate even though she is a resident of the town of Northborough. Chairman Wood brought up an issue of some town groups that have not been able to use the Town House due to the rentals of the dance group. Debra Goodrich from the Community Grange spoke up and agreed that their group has run into this problem themselves and knows of other organizations that have discontinued using the Town House because they cannot hear during their meetings if the dancers are upstairs. Bob Bourassa agreed that when the dancers are upstairs, as like any other activity that is generating noise, it is as if the whole building is being rented. You cannot hold an activity downstairs while a loud event is being held upstairs. He also notices that town organizations have stopped asking to rent the Town House because they see the dancers there all the time and assume that it is not available.

It was noted that April Steward had also reached out to the MIIA, the Town of Boylston's insurance carrier, to provide us with a Certificate of Insurance that would be adequate to protect the town in the event that we encountered a long-term rental, such as what we have right now with the dance group. The current policy that Ms. Gordon carries currently does not meet that recommendation and would need to be brought up to the coverages recommended by the MIIA.

Mike May noticed that the dance group rents roughly 125 times from September through May and that roughly grosses around \$12,500 in revenue to the town, not including the expenses that are generated by the heavy usage of the facility. We could potentially increase the revenue to \$25,000 or lose the revenue all together if changes to the rental agreement were made. About 1/3 of the dance group is from town which averages around 10 residents. An audience member commented that they felt that the rental money should be considered a nice donation to the town and towards the building, and they also felt that the noise is not just due to dancing, it is any group that rents upstairs.

The Chair clarified that the position of the Board of Selectmen is that the building is for town residents' use and that they get first priority, 100%. If they feel that they cannot use the building because something else is going on, that is not right. On the other hand there are people in town that enjoy the services that Ms. Gordon provides and we want to be mindful of that as well. We still need to cover our expenses there. It is good the rental income that comes in, but it still costs us to keep the heat on, lights, etc. It is not all profit for the town. Jamie Underwood brought up that we do not have a senior center in town and feels that we need to have events offered for seniors in town. Since the Town House Committee is an advisory board to the BOS, the final decision always rests with them. That being said, the Town House Committee would highly recommend that the BOS adopt a provision that any long-term rentals that are not affiliated with the town by being a town organization or a group and that charges a fee for the service they are providing, should comply with the COI recommended by the MIIA. Both Jamie and Mike agreed. Mike suggested two things that we could think about. One was putting a cap on the amount of rentals any one renter would be able to have in a given time period, and then to also give a price break to a group that has multiple rentals. Not giving them the same rate as the residents, but something in-between the \$100 and \$200 rental fees. Jamie also brought up the question of the timeframe of a rental. Is it five hours like the rental agreement states or would it be a longer timeframe?

Stephen Madaus suggested that maybe P&R would be interested in sponsoring this as one of their programs. Maybe they could contract with the dance company to provide this to the community as a town run program.

Jamie asked how far out the dancers are booked onto the Town House calendar currently. April answered that she is only booking them out one month in advance. That way it is allowing other town groups to get onto the calendar first. Ms. Goodrich also mentioned all of the improvements that the Grange has done to the building to give back to the community. They have run into some problems with renting and getting dates due to the dance rentals. Mr. Goodrich said that they don't want to look outside of town to have their

meetings, they want to be able to stay in town. He also said that many other residents feel that the dancers are running a business out of the Town House and that is not right.

Mike asked if Ms. Gordon had a counter proposal or a solution that she wanted to propose to the BOS. She did not have anything at the moment but she would be willing to do that. Mike is interested in find some middle ground here, the rest of the BOS is in agreement.

Bob also mentioned that four to five rentals a week to the dance group is a lot of wear and tear on the building and the amount of supplies that are used. Mike would like to maybe see the total amount of rentals be decreased but to also be sensitive to the dance group so that is can still be economically feasible for her to offer her service to the dancers. She may get part of what she is looking for but she is going to have to give up some things as well. April also mentioned the great things that the Grange has done to beautify the building. They give back to the community in a good way as well.

Jamie would like to see the insurance issue addressed immediately, but to allow them to rent through February at the same rate until we can finalize what we are going to do with the new rental agreement.

Report of the Chief of Police to the Board of Selectmen:

- ***Crime Statistics*** were presented.
 - Arrests 2017 53 vs. 2016 87
 - Criminal complaints 2017 74 vs 2016 101
- ***Chief's schedule:***
 - Dec 5 Sargent Thomas Social Media Training in Grafton
 - Dec 11 Tower Hill meeting on new traffic flow and parking plan
 - Dec 18 Interview panel with 3 applicants for vacant PO position
 - Dec 18 Annual Taser recertification
 - Dec 20 New computer installed by Akuity
 - Dec 20 Attended Town Hall Christmas Party
 - Dec 28-Jan 4 Chief on vacation
 - Jan 5 Ticket Hearings at Clinton District Court
 - Jan 8 Office call with new school Superintendent
 - Jan 9 Officer Annunziata SANE hearing
 - Jan 10 Funeral St. Mary's to Notre Dame Academy
 - Jan 17 Meeting with State on EBT cards
 - Feb 2 Ticket Hearings at Clinton District Court
 - Feb 6 Discrimination training at Town Hall
 - Feb 10 Timothy Anderson Memorial Ice Fishing Derby
 - Feb 12 Chief physical
 - Mar 6 Executive Assistant attend Customer Service Excellence Training at Town Hall
 - Mar 12 Chief meeting with FinCom
 - Mar 21 School District Crisis Action Team Meeting

December 6th there was a car into a tree on Rte. 70 fatal car accident. December 25th another MVA with injury reported on Rte. 1450 South, multiple vehicles. The Chief and Officer Parker were forced to go hands on with a 13 y/o You Inc. resident due to actions from resident towards staff and responding personnel on the scene. A few more MVAs within the last week. The Chief would like people to be more aware of their surroundings when pulling out into traffic. Take the time to look twice, especially to the lane of traffic closest to you before you turn out into traffic. Drive defensively!

Report of the Fire Chief to the Board of Selectmen:

- ***Call Volume – December 2017***

○ EMS – total	38
○ EMS – Advanced Life support	11
○ Fire – Total	9
○ Motor Vehicle Accidents	11
○ Mutual Aid Given - EMS	3
○ Mutual Aid Given – Fire	2

- **Calendar Year Statistics**

- **EMS**

▪ Basic Life Support Calls	286
▪ Advanced Life Support Calls	64
▪ Motor Vehicle Accidents	42
▪ Carbon Monoxide Alarms	16
▪ Fire Scene Standby	15
▪ Mutual Aid	10

Total EMS 433

- **FIRE**

▪ Motor Vehicle Crashes	42
▪ Carbon Monoxide Alarms	16
▪ Fire/Smoke Alarms	71
▪ Fires in a Structure	15
▪ Brush Fires	6
▪ Vehicle Fires	2
▪ Hazardous Materials Incidents	13
▪ Misc. Calls For Service	18
▪ Mutual Aid	15

Total FIRE 198

- **INSPECTIONS/PERMITS**

▪ Certificate of Compliance	105
▪ Propane Storage	21
▪ Underground Tank Removal	3
▪ Oil Burner Installation	11
▪ Oil Tank Inspection	18
▪ Welding Permit	1
▪ Wood Stove Inspections	7
▪ Vehicle Tank Inspection	14
▪ Waste Oil Storage	2
▪ Blasting Permits	2
▪ Blasting Inspections	110
▪ Sprinkler Permits	1
▪ Fire Alarm Permits	2
▪ Liquor License Inspections	5
▪ Open Air Burning Permits	350

Total INSPECTIONS/PERMITS 652

Total Calls For Service 1283

- **Responses**

- November and December were busy months for Fire and EMS calls.
- The FD responded to 63 incidents in December, with the majority of them being EMS in nature. The department responded to one structure fire resulting from combustible material being stored too close to a fireplace. When the fireplace was lit, combustible material near the hearth caught fire, causing some damage to the room and contents. The fire was contained to the area surrounding the fireplace.
- The department also responded to a carbon monoxide alarm at a residence and the first arriving EMS crew encountered very high levels of carbon monoxide in the residence due to a faulty oil burner. The oil burner was shut down and the home was ventilated, no injuries were reported.
- The fire department responded to a two vehicle crash on Rte. 140 in the vicinity of the MA DOT sales shed early Christmas morning. One patient was transported to the hospital from the crash and later passed away from his injuries.

- **Grants**

- The Latest FEMA Assistance to Firefighters Grant Program opened up last week. The fire department is currently looking into two possible grants this cycle; one to upgrade all of the low band radio system equipment with a more modern UHF system. The estimated cost for this upgrade is approximately \$250K - \$300K. No exact figures have been obtained as of now.
- Another possible grant option is to replace all of the department's self-contained breathing apparatus. Currently SCBA is soon to be out of NFPA compliance. The cost to replace 20 SCBA is \$164,060. This price includes the SCBA with air tank, one spare tank for each SCBA and 20 facepieces. As with all FEMA grants, the town would be required to pay 5% of the total award.
- The department has also written a grant through the DCR/Volunteer Fire Assistance to replace some aging fire hose. This is a matching grant; the DCR will pay a maximum of \$2K towards the purchase of a new hose.
- ***Fire Prevention***
 - Chief Flanagan met with Jake Nuppenmacher of the Fire Marshall's Office regarding the proposed variance to the sprinkler code for the conveyor system at the new FedEx Facility. We were contacted by Eric Camiel of Jensen Hughes Co. requesting a variance to the requirement that sprinklers be installed underneath all conveyor systems; the code is in place because in many facilities that utilize conveyor systems, the area below the conveyor is often used for storage, increasing the fire load in the building. These areas are required to have separate sprinkler coverage because the sprinkler geometry would block the building sprinklers from hitting any of the area below. Currently, neither the Fire Marshall's office nor the Fire Chief, nor the Building Inspector are in favor of granting a variance. By MA code, any variance to the sprinkler code has to be authorized by either the Board of Building Regulations and Standards (MMRS) or the Sprinkler Appeals Board. Since sprinklers fall under both the building code and the fire code, either of these two boards have to authorize any variance. To date, no formal application for appeal has been made.
- ***Training***
 - Chief Flanagan will be attending the Fire Chief's Association of MA Professional Development Conference on Worcester at the end of February. Chief Flanagan has lined up Michael Hession, Chief Fire Officer from Kerry, Ireland, and Patrick Fleming, Chief Fire Officer from Dublin, Ireland Fire Brigade to be guest speakers at this year's conference. Chief Hession and Chief Fleming were the two chiefs who invited Chief Flanagan to speak at their conference two years ago in Killarney, Ireland.
 - Chief Flanagan and Deputy Chief Ronn will attend the Fire Department Instructors Conference in April.

Report of the Building Inspector to the Board of Selectmen:

- ***Schedule of Permit Fees*** were presented.

Elmer's Seat Discussion: Laurie Levy and two other members of the Homeowners Association, Bob and Jen came in to discuss the parcel of land referred to as Elmer's Seat that is owned by the Greater Worcester Land Trust. It was brought to Laurie's attention last summer that there was a Facebook post of a map on GWLT Facebook Page advertising the parcel of land in Boylston and the Homeowner's Association had requested GWLT to take the map off of their FB page, and any other social media advertising the site. It has also been brought to Laurie's attention that neighbors have been seeing cars parked overnight at the site as well. She went on their website and they have the land use policies up on their site allowing camping on all of their properties. Jamie talked to GWLT to find out what is going on and he was told if anyone wants to camp at the Boylston location they need to have written notice from GWLT in order to be there. No one as of yet has requested permission to be on the property overnight. He advised the Homeowner's Association to call the cops if they see anyone there overnight. Laurie wasn't satisfied with that answer. The Homeowner's Association (HA) is not comfortable with overnight campers, camp fires and the like on the parcel. Jamie told them that GWLT said they would never grant permission for anyone to stay overnight at the Elmer's Seat location. The HA would like to see that in writing. Their land use policy is also allowing camp stoves and advising people to dig latrines if there are no bathroom facilities on any of the GWLT properties. Jen said that there are definitely people staying there overnight, neighbors have seen them. Since GWLT purchased

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the property as a lot, they need to abide by the HA covenants. Laurie had sent them a certified letter outlining the HA rules and that they wouldn't be charged any fees since they are a non-profit organization and invited them to attend their meetings and they heard nothing back from the organization. Then they decided to hire an attorney to look over their covenants and double check to see if GWLT did need to abide by the covenants and he agreed that they do need to abide by them. The attorney also sent a certified letter to GWLT and did not receive a response either. The HA can now spend a lot more money and go to litigation or they can ask the BOS if they can pass an ordinance, or consider the possibility of doing a land swap with GWLT. Mike clarified that there are parcels in the East Woods that the HA may want to purchase and then offer to do a land swap with GWLT, but that the town would not be able to negotiate that deal the HA would need to facilitate that on their own. We cannot do spot zoning either so that is not an option. The land is in a land trust as a piece of conservation that is also imbedded in an established neighborhood. Jamie feels that there is no way that the town can get involved in this situation. Laurie said that she is not here to discuss what they are or are not in violation of, she is there because they are tax paying citizens and they are asking for some help from the BOS to assist them with an organization that pays no taxes to the town and is allowing strangers to sleep overnight in the middle of their neighborhood. Stephen Madaus said that we have zoning by-laws that are already established and that there may be some uses listed in their land use policy that is not allowed by residential zoning by-laws, such as a camp ground. That is the town's responsibility to enforce town zoning by-laws. The covenant of the HA are private rights that are enforceable by the homeowners. GWLT has an obligation to provide a public benefit in exchange for their non-profit tax free status. You cannot just hold land in preservation without having a public benefit. If you don't then you will lose your exemption. Laurie understands that but would prefer to not have Elmer's Seat advertised to invite people from other states to come into the neighborhood. The HA suggested that they would be willing to form a non-profit organization themselves and obtain the land and manage it themselves and maintain it as open space for the neighborhood. Jamie then suggested that maybe the town could facilitate the beginning of a conversation between the two parties, but that would be where the town's involvement would end. The HA would 1. Like to see the parcel not actively advertised any longer. 2. Stop actively asking people on social media to come into the neighborhood. 3. Maintain the property so that the sidewalks are maintained and useable by residents in the area. 4. The sign is in violation of the town's sign by-laws. It needs to be set back and off of the abutter's property line.

Mike suggested that they utilize public tools to bring attention onto their situation so that both parties will come to the table so that they can begin to have discussions to solve this problem for them in a permanent way.

Marijuana Establishments and Zoning: Bill Manter, Peter Caruso, and Homaira Naseem from the Planning Board came in to discuss the passing of the Recreational Marijuana law in Massachusetts and how the Town of Boylston would like to proceed with the issue. State and Federal laws at the moment are unclear. Bill's first question was per the vote in Boylston, which was against the legalization of recreational marijuana, is there a local opt out option? Stephen said that because the town did vote against the legalization, it has the option to adopt a by-law to prohibit the retail sale of recreational marijuana, or any activity associated with the cultivation and/or distribution of marijuana. That vote can occur at Town Meeting because the residents voted against it in the state wide referendum. This is due to a legislature revision due to what the citizens enacted. Jamie said or we can chose to designate it to a certain area. He would hate to see the town lose out on the possible 3% tax revenue on retail sales if the town decided to prohibit. Bill would like to liken the zoning to be similar to the adult entertainment district. Which is if you do designate a parcel, or area zoning district to it, it inoculates you from going anywhere else, such as something along the rte. 140 strip would be far superior to someone buying a house in village business in the middle of Morningdale and setting up shop there. Bill would like more information on a ban, because if you did outwardly ban it if someone goes on a crusade... Stephen said this is different than adult entertainment because that was viewed as free speech and you cannot prohibit it, you can only regulate it. Marijuana is all statutory and it does allow for prohibition, by statute. So the prohibition would be sustainable. You can opt out according to the regulatory scheme. Also our US Attorney' Office in Boston has said, which is she is going to enforce the federal laws. That is definitely going to chill some of the efforts and the financing of such establishments. Stephen feels relative to the MA legislation that all the towns have to deal with a prohibition is available to Boylston. Chairman Wood shred the idea that we could put an article on the floor at town meeting to prohibit it, we could have a

second article ready to go where it could be zoned. Discussion ensued as to where would it be best to zone it, if we had to choose a zone? The Cannabis Control Commission has already set for regulations designating what the zoning requirements and setbacks should be for retail shops. It wouldn't hurt for the town to have it in its own bylaws as well. Mike asked if we had already regulated this, and Stephen said we have only zoned medical marijuana, not recreational. Bill believes it was zoned very restrictively. Jamie suggested that we use the same zoning regs for recreational. Bill is just speaking for himself, but he would like to not see any problems created that are not on our plate yet. If the BOS would like to support a ban than the BOS can put that on the warrant and if it doesn't pass, the Planning Board can worry about the zoning aspect. Jamie is afraid if we wait until town meeting we may find ourselves open to a shop being opened anywhere retail sales are allowed. The Chair suggested two articles. The first prohibiting, and the second regulating. If the first one passes, than we can skip over the second article. Mike asked how restrictive can the zoning be. Do we need to be reasonable? If we do nothing can the state come in and tell us what we have to do? The Chair said if we do nothing the residents don't have a say as to what happens, but if we bring forward an article than the residents can vote. Stephen agreed, adding you would also miss the opportunity to say anything as well. The BOS will write the article for prohibition, and the Planning Board will write the zoning article for regulations.

Stephen Madaus had information on a "TIF agreement on personal property only" question that Mike May had in a previous meeting. The Mass Office of Business Development is divide into regions and the Central MA rep said they decoupled he investment tax credit from the local. You can now do TIF only deals. But he did say that you have to be mindful of the revenue of personal property tax, it is usually not that substantial, so all the money you spend in a deal to do a TIF on personal property only is almost as expensive as the benefit you get. It is almost not worth the effort. Mike said the question being asked by the Kraft Group was relative to personal property within the facility, and he related it to the same investment that FedEx did in their facility. FedEx spent \$9M on their conveyor system and they don't want to be taxed on that. They don't want to be taxed on inventory. This is potentially a bigger facility than FedEx, so potentially you could be talking 10, 11, 12 million dollars. So the question is meaningful, and the TIF would be meaningful. Stephen asked if the conveyor system becomes a fixture at some point. Good question. It is removable. Discussion ensued about the pros and cons. The TIF process also requires town meeting approval, but there is more flexibility than before.

The BOS would like to also ask Stephen Madaus to write a letter asking for exemption from the 40B Process. He said the Baker/Polito administration is friendlier to towns in regards to the 40B process. The article Stephen provided is stating that there are funds available to study what the town should enact, or consider to facilitate where 40Bs might be preferred and to see if we can get more acceptable production in town. Mike wants to know how we can still offer affordable, but get out from underneath the density issues. Mike's ask is if they are starting to have these discussions, why don't we go to our state reps and ask part of the bill to sponsor and exempt communities where over 25% of the land is owns or controlled by the state. The town is already under a big burden. Can we have a program that is uniquely devised for communities in our position? Stephen can try, he is concerned that it could be viewed the other way and said there is more of a need for affordable housing in such communities due to the scarcity of land. Mike would argue that the lack of commercially developable space, because of the constraints of the land available in town, is limiting the communities economic opportunities and the state shouldn't impose additional burdens on the town. Stephen noted that Falmouth has addressed this similar issue by putting in storefronts with residential units on the upper floors. Apartment units in town would help us reach the 10% number that we need to reach due to the state's regulations on affordable housing. The AG's office is also looking at efforts that are trying to limit types of housing that is trying to be produced, as to apartments being limited to two bedrooms or less. Mike feels that that is unfortunate because you cannot take something that works well for a larger city and try to make the same thing work for smaller communities.

The meeting was adjourned at 8:31 PM.

Respectfully submitted,
April C. Steward, Assistant to the Board of Selectmen

Meeting Materials

Agenda

On file in Board of Selectmen's Office

Meeting Sign-In Sheet

On file in Board of Selectmen's Office

TA Report

On file in Board of Selectmen's Office

Building Superintendent Report

On file in Board of Selectmen's Office

Highway Superintendent Report

On file in Board of Selectmen's Office

Crime Statistics

On file in Board of Selectmen's Office

Fire Chief's Report

On file in Board of Selectmen's Office