

**Advisory Committee Meeting
Zoom Video Conference
Wednesday, February 16, 2022, 6:30 p.m.**

Those present from Advisory Committee included Shawn Baker, Tom Cunningham, Jake Erhard, Jenn Fallon, Neal Goins, John Lanza, Jeff Levitan, Corinne Monahan, Doug Smith, Susan Clapham, Al Ferrer, Wendy Paul, Pete Pedersen, Madison Riley, Patti Quigley.

Neal Goins called the meeting to order at 6:30 pm and introduced members of Advisory in attendance.

Citizen Speak

Christopher Spagnuolo, 14 Paine Street, spoke in support of Article 44.

Fred Bunger, 1 Curve Street, spoke in support for Article 38, Motion 1 through 3.

Mary Gard, 21 Laurel Ave., expressed support for Article 38 and addressed some of Advisory comments and concerns raised at previous meetings.

Bob Salzman, 14 Dover Road, expressed support for Article 38.

Joanne McIntosh, 14 Paine Street, expressed support to Article 44.

FMD

Joe McDonough, Director, FMD presented information for two ATM Warrant Articles – Article 17 and Article 19.

Article 17 Land Use Lease

The presentation included the current conditions in Town Hall and the need to move the Land Use Departments to leased space in preparation for the renovation of the Town Hall interior. The process for the Land Use Lease procurement and the proposed schedule was reviewed. A review of the appropriation request was provided. The relationship to the Town Hall renovation project and the next steps were reviewed.

Questions/Comments

- Do other departments need to go through the RFP process for leased swing space when the construction on Town Hall starts?
 - Yes, we will have to go through the 30B process.
- A question was asked about the amount of file cabinets and if there was a plan to reduce the amount of paper?
 - We do not want to pay for leased space for the storage of paper. We are seeing more scanning so we can reduce the number of file cabinets. We are already working on a strategy for culling the paper in Town Hall.
- Clarification of the construction fix up was requested and if the person we are leasing from does this or if we do this.
 - It depends on the available space we get. We have a conceptual floor plan in the RFP. In reality, there is going to be office space that is not as defined as our conceptual floor plan. Therefore, the owner will have to put up some walls. Once the space is given to us then we go in and do our own fit up of furniture, phones, cable, etc. There are two fit ups – construction fit up and then our fit up.
- Clarification was requested as to which departments are moving to the leased space.
 - Building, Planning, Zoning and NRC.
- Where are we on the money allocated for digitization? Have we used that money?

- There is \$50,000 in capital funds that can be expended. We will inventory materials as we have duplicative materials between the various departments. The \$50,000 will not cover all the paper in the Planning Department. However, there will be a reduction in documents.
- Would the request for the space have been different prior to COVID and how has temporary/remote working impacted the space needs?
 - Prior to COVID we would have asked for more space. We are planning for remote workers in touchdown spaces which are smaller spaces.
- What are current market conditions with leasing spaces?
 - We are optimistic to having more proposals of office space. We think there will be office space open to the benefit of the town.
- What happens after 5 years with the 5-year lease?
 - It is initially a 3-year lease with an option for an additional 2 years.
- Is the intent to lease the space long term?
 - It depends if there is an appetite for the Annex. We are all adjusting to working post COVID. Leased space allows us to figure out how much space is needed. RFP is a fixed cost each year.
- Is this within guideline?
 - This is funded by Free Cash but we will see the leased cost in the next budget.
- What happens with the vacated space in Town Hall?
 - This will allow us to address issues with the space as part of the renovation project and provide flex space for storage. There are no immediate plans to use the lower level.
- Is this an acceleration of the move in the original plan when the Annex was being reviewed?
 - Yes the Annex was to be built first and used as swing space for the renovation. This now allows us to focus on the building, Town Hall, which will always be there.
- Was the RFP issued before TM approved this?
 - Yes, this is typical of planning. We get everything set up except signing the actual lease. There are supply chain issues for furniture and we are trying to anticipate this.
- Why not use part of Upham school if you are looking for space? Why are we leasing if we have so much property?
 - The timing won't work for the Town Hall project. Upham will be a different conversation. Any change from use as a school will require work.

Article 21 – HS LED Lights Replacement Project

The background of this project, the LED program, program goals and project schedule were reviewed.

Questions/Comments

- Why not put PV on the high school roof?
 - We do have PV on a substantial area of the roof. It is not the entire roof. We've been working with MLP and they are looking at various buildings in town. MLP is looking at every building for PV. MLP board is interested in getting as many PVs installed as possible.
- How were the previous phases funded?
 - Initially we had it in cash capital for 4 years at \$500,000 per year. The first phase was funded through Green Communities so it didn't cost the town. Since we had to complete the work in less than a year, we identified what was the best payback and the gym and the auditorium were identified. Phase 2 was in FY22 cash capital but it was delayed. Last year there was recognition that there was a benefit to replace lights sooner rather than later. It was the Select Board's decision to fund this with free cash. We don't have a history here.

- What should Advisory expect next year when the final phase is done? Is it going to be in the cash capital budget or another free cash item? We are carrying \$900,000 to \$1 million and it will be interesting to see bids. We might not be able to do it all. We will have a sense of what it will cost to do the remaining portion.
- It was felt that the funding of cash capital from free cash is like a gift and does not force departments to prioritize cash capital. Is the intention that phase 4 will be part of cash capital project?
 - Yes.
- Since LED lights give off greater illumination will the number of fixtures be reduced?
 - It is not worth it because we would need to revise the ceiling. It is more cost effective and simple to take out old fixture and put in new. We did look at this early on.
- What is the premium we will pay for this related to COVID?
 - The Middle School project bids we have in hand are right on target and no premium is seen.
- A comment was made that the 6-year pay back on a lighting project isn't that great. Are we not doing this for the financial benefit but doing it for Green House Gas? What's the real motivation here?
 - There is absolutely a financial benefit for this. One issue is that fluorescent lights have ballasts that will fail which will require an electrician to replace. It will cost us more in maintenance costs to delay, in addition to foregoing electricity savings.
- Is there an additional benefit to the lighting in classrooms as the lighting is different?
 - We had a pilot program at Bates and worked with staff and we are using that system for all the classrooms. The quality of light is dramatically different.
- Support was expressed for the project. Has the town consider financing the LED installation?
 - There are many performance contract opportunities through a utility supplier in other towns who do not have an MLP. We do not work through the MLP that way. We are funding these directly through cash capital projects.

Select Board Warrant Articles

Meghan Jop, Executive Director; Amy Frigulietti, Assistant Executive Director; Tom Ulfelder, Chair, Select Board (SB); Ann-Mara Lanza, SB; Lise Olney, SB; Colette Aufranc, SB; Beth Sullivan Woods, SB were present and the Select Board ATM Warrant Articles were presented and reviewed.

The Select Board Appropriation Articles 6 through 11 were reviewed.

Questions/Comments

- Is there a maximum amount allowed in the SPED fund?
 - In past we have dedicated Free Cash to the SPED fund because typically Medicaid reimbursement has been low.
- Is there a cap for the SPED fund?
 - Yes and it is part of the 2017 language.

Special Capital project Article 18 - Police Radio Tower was reviewed.

Questions/Comments

- A refresher was requested on this as a broader project.
 - Phase 1 was explained as was approved by 2021 ATM. The tower has exceeded its useful life. This has been part of a 5-year capital plan and was identified as phase 2 in last year's plan.

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- A comment was made that there were lean years on capital and support was expressed for the catch up. It was further commented that the funding of these out of free cash allows us to get to 6.8 percent. A question was asked if this is the intent to generally do this to get to 6.8 percent.
 - No, the Select Board evaluated that with over performance and turn back we have a substantial amount of reserves which is over the town reserves policy. By pulling it out frees up the 6.8 percent to do other smaller projects across departments. It was a deliberate exercise to catch up on capital.

The Select Board Authorization Articles 24, 26, and 27 were reviewed.

Article 24 – Establishing a Town Meeting operation study committee was presented and reviewed. Mark Kaplan, Moderator was present.

Questions/Comments

- Appreciation of the perspective on the compressed timeframe of the Moderator’s term was expressed.

Article 26 – Use of transportation funds (Uber/Lyft) given to the town to be expended on transportation costs.

Questions/Comments

- Are these funds projected to come every year?
 - Yes, it is a negotiated settlement with the state and will not change until there is a statutory modification.

Article 27 – One Day Licenses to For-Profit Uses

Questions/Comments

- Are there different licensure costs for for-profit versus non-profit?
 - No, we are not modifying that and we are not differentiating.
- For events in schools, should we charge more than \$50?
 - First we can’t have alcohol at the schools.
 - The fees are statutory fees. These are very straightforward. On the colleges it is different and are typically at specific locations.
- Are for profit companies those that have a DBA in Wellesley?
 - Yes that is correct. But events are not limited to a business. The service of alcohol is different and is limited to licensed caterers.

The Select Board General Bylaw Amendments, Articles 28, 29 and 32 were reviewed.

Questions/Comments

- Concern was expressed about Article 29 and the CAC staff integration into the town administration and structure.
 - Anyone who works for the town is an employee of the town. CAC has representation from existing boards and appointed individuals. The intent is to bring together larger departments and work together on the impact of sustainability on the community. Working for the SB would not impact the director’s involvement with CAC. This just integrates the director and moves the reporting structure. We are formalizing what we have in practice to date. General decision and policy decisions are from the boards.
- What is a “right of way”?

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- It is defined as the area roadway width in between parcels area and inclusive of sidewalks, parking areas and roadways. We see this operating as it is done in the sidewalks. We are focusing primarily on sidewalks.

The Select Board General Articles 46 through 49 were reviewed.

Discuss/Vote ATM Warrant Articles

Article 38, Motion 1

Shawn Baker make and Jenn Fallon seconded a motion to take Article 38, Motion 1 off the table and resume discussion and voting.

Roll Call Vote

Jennifer Fallon – yes
John Lanza – yes
Corinne Monahan - yes
Patti Quigley - yes
Tom Cunningham – yes
Jake Erhard – yes
Jeff Levitan - yes
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - yes
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – yes
Shawn Baker – yes

Article 38, Motion 1 was taken off the table, 14 to 0.

From February 12, 2022 meeting: Shawn Baker made and Madison Riley seconded a motion for favorable action on Warrant Article 38, Motion 1 as proposed by the Planning Board, that the Town amend the general provisions by adding a section to the Purpose section to promote sustainable building and land use practices.

Discussion on Article 38, Motion 1 continued

- A comment was made that the statements made last year in connection with the name change article were reviewed. It was believed Advisory was told that these goals are aspirational and have no teeth to them and that it is something we want to do to remind people of the importance of what we are doing. It was stated that Motion 1 adds into the purpose of the Planning bylaws to reduce GHG emissions. It was felt that although it is the purpose statement that some might look at the purpose statement to put more directed regulation into the Zoning bylaws. It was felt that if this is put in the preamble it will burden future committees to be vigilant. The opinion was expressed that it is not the purpose of a zoning bylaw to regulate GHG.
- An additional unsupportive comment was made that aspirations should not be codified.
- A comment was made that the purpose would still stay behind when we have achieved net zero.
- A comment was made that there is nothing in Motion 1 about GHG and that the provision is to promote sustainable building and land use practices. Clarification was provided that the GHG information is in the actual Motions under Article 38.

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- A comment was made that Advisory tabled this to look at the Article write up from last year. It was felt that Motion 1 reinforces what Article 24 asked us to do last year and that we are only doing what has already been set in motion.
- Support for the motion was expressed as this is an interpretation and affirmation of what was approved last year.
- Additional support for the motion was expressed as this is an affirmation of the adoption of a goal to reduce GHG and the subsequent departments would start to put into place what is already being done. Planning is the natural to do this for buildings.
- Disagreement was expressed and the opinion stated that what was represented last year is different.
- Opposition to the motion was expressed as it was felt it is not clear what the purpose really does and, as drafted, it appears to reflect a mandate and not a goal.
- It was believed that in the discussion last year CAC said they were not putting in hard goals but they were making goals and recommendations and it was up to the departments to implement.
- Concern was expressed as to who promotes sustainable and effective land use practices and if there is a regulation for this. The opinion was expressed that this is an area where the state and federal government should take the lead. Any rules provided here should provide clarity.
- Support for sustainability was expressed. However, it was felt that the wording is not defined enough for Planning. This is not necessarily a rule. It was felt this was not measurable and allows for interpretation down the road.
- Additional support for sustainability was expressed but it was agreed that the wording of Motion 1 is loose and it should be written in the same aspirational way as the goals of the CAC.

Roll Call Vote

Jennifer Fallon – no
John Lanza – no
Corinne Monahan - no
Patti Quigley - no
Tom Cunningham – no
Jake Erhard – no
Jeff Levitan - no
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - no
Wendy Paul – yes
Pete Pedersen - no
Madison Riley – yes
Shawn Baker – no

Advisory recommends unfavorable action on Article 38, Motion 1, 10 to 4.

Article 38, Motion 2

Shawn Baker made and Jenn Fallon seconded a motion to take Article 38, Motion 2 off the table and resume discussion and voting.

Roll Call Vote

Jennifer Fallon – yes
John Lanza – yes
Corinne Monahan - yes
Patti Quigley - yes
Tom Cunningham – yes

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Jake Erhard – yes
Jeff Levitan - yes
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - yes
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – yes
Shawn Baker – yes

Article 38, Motion 2 was taken off the table, 14 to 0.

From February 12, 2022 Minutes: Shawn Baker made and Doug Smith seconded a motion for favorable action on Warrant Article 38, Motion 2 as proposed by the Planning Board, that the Town amend the Project Approval for Projects of Significant Impact to require a greenhouse gas emission study be performed by engineers with expertise in the area and include a review of it by the Planning Board.

Discussion on Article 38, Motion 2 continued

- Support for Motion 2 was expressed as this bylaw has a specific request and creates an expectation by adding an impact study to Projects of Significant Impact (PSI). It was felt that construction in Wellesley is well ahead of this and buildings want to have and maintain a good relationship with Wellesley. PSIs still need to articulate the impact to the town and builders will do their best to address this.
- An opinion was expressed that the second part of this is missing.
- A comment was made that these builders may do this type of study anyway. How much does it cost these builders? For PSIs it might be small percentage. We don't have to hold them to anything or are we judging them? How would the town react to whatever the study would say? Is it just information? If this is speculative should we be more definitive in the bylaw change and what is the metric against which is being measured?
 - It depends on the size of the project. If we look to the Hunnewell school, SMMA had consultants. Every developer will be considering the cost of building the property and the costs of maintaining it.
- It was felt that builders want to maximize profit. Is there is a template for a GHG study?
 - We would rely on the language in the motion.
- An opinion was expressed that the Motion 2 was too open.
- Support for Motion 2 was expressed. It was felt that metrics are not set up as there is danger in being too specific in the bylaw as it can be easily outdated. It was felt that there was a clear sense from last year's Town Meeting that people want to move the town forward with standards in place.
- Clarification was provided that Motion 2 is only for PSI and not houses. Large projects include school projects. There has only been one PSI this year.
- Support was expressed for the concept of requiring the study. Support was not expressed for the part of the proposed bylaw change that would require an analysis of measures taken to meet the town's greenhouse gas emission goals. That leaves project too open ended.
- Are building codes on a parallel path as to how to do all things?
 - Yes there are LEED building codes. There are certain standards that they must meet for large projects. In the PSI process the Planning Board will ask questions about the impact. This is another requirement to produce a report of GHG emissions.
- Support was expressed for Motion 2 as an evolution that we should have in place in town. These are PSIs and we are not talking about these being residential projects. The majority of these

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projects will have structures built in. It was felt that this is a natural progression of what our town needs to move forward with sustainable initiatives.

- No support for Motion 2 was expressed as sustainable practices are undefined and if this was LEED certified or certifiable there would be a recognized metric.

Roll Call Vote

Jennifer Fallon – no
John Lanza – no
Corinne Monahan - no
Patti Quigley - no
Tom Cunningham – no
Jake Erhard – no
Jeff Levitan - no
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - no
Wendy Paul – yes
Pete Pedersen - no
Madison Riley – yes
Shawn Baker – no

Advisory recommends unfavorable action on Article 38, Motion 2, 10 to 4.

Article 38, Motion 3

Shawn Baker made and Patti Quigley seconded a motion to move Article 38, Motion 23 off the table and resume discussion and voting.

Roll Call Vote

Jennifer Fallon – yes
John Lanza – yes
Corinne Monahan - yes
Patti Quigley - yes
Tom Cunningham – yes
Jake Erhard – yes
Jeff Levitan - yes
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - yes
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – yes
Shawn Baker – yes

Article 38, Motion 3 was taken off the table, 14 to 0.

From February 12, 2022 minutes: Shawn Baker made and Doug Smith seconded a motion for favorable action on Warrant Article 38, Motion 3 as proposed by the Planning Board, that the Town amend section 22 Design Review to include a review of greenhouse gas emissions by the Design Review Board.

Discussion on Article 38, Motion 3

- Several members had the same comments as were discussed in Motion 1 and 2.
- A comment was made that this is the current practice and codifies what the Design Review Board already does.

Roll Call Vote

Jennifer Fallon – no
John Lanza – no
Corinne Monahan – no
Patti Quigley - no
Tom Cunningham – no
Jake Erhard – no
Jeff Levitan - no
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - no
Wendy Paul – yes
Pete Pedersen - no
Madison Riley – yes
Shawn Baker – no

Advisory recommends unfavorable action on Article 38, Motion 3, 10 to 4.

Advisory unanimously recommended favorable action on Articles 33, 34, 41 42, and 43, 14 to 0. For brevity in the minutes a single unanimous Roll Call Vote by name is reflected. Motions are detailed below.

Roll Call Vote

Jennifer Fallon – yes
John Lanza – yes
Corinne Monahan - yes
Patti Quigley - yes
Tom Cunningham – yes
Jake Erhard – yes
Jeff Levitan - yes
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - yes
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – yes
Shawn Baker – yes

Article 33: Shawn Baker made and Jenn Fallon seconded a motion for favorable action on Warrant Article 33 as proposed by the Planning Board that the Town vote to amend Article 1B definitions and Article 14B FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS and adopt, as appropriate, certain provisions of the Massachusetts 2020 Model Floodplain Bylaws as set forth in the Warrant and the Motion.

Advisory recommends favorable action on Article 33, 14 to 0.

Article 34: Shawn Baker made and Jenn Fallon seconded a motion for favorable action on Warrant Article 34 as proposed by the Planning Board that the Town vote to amend provisions of the Zoning Bylaw relating to the definition of Child Care Facility as set forth in the Warrant and the Motion.

Advisory recommends favorable action on Article 34, 14 to 0.

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Article 41: Shawn Baker made and Corinne Monahan seconded a motion for favorable action on Warrant Article 41 as proposed by the Planning Board that Town vote to amend the Zoning Bylaw to clarify the existing lighting provisions by Section 16G.D as set forth in the Warrant and the Motion.
Advisory recommends favorable action on Article 41, 14 to 0.

Article 42: Shawn Baker made and Corinne Monahan seconded a motion for favorable action on Warrant Article 42 as proposed by the Planning Board that Town vote to amend the Zoning Bylaw to clarify the existing Sign Bylaw as set forth in the Warrant and the Motion.
Advisory recommends favorable action on Article 42, 14 to 0.

Article 43: Shawn Baker made and Jenn Fallon seconded a motion for favorable action on Warrant Article 43 as proposed by the Planning Board that Town vote to amend the Zoning Bylaw by renumbering and reordering existing sections as set forth in the Warrant and the Motion.
Advisory recommends favorable action on Article 43, 14 to 0.

Minutes Approval/Liaison Reports/Administrative Items

Liaison Reports

Schools/Susan Clapham – mask mandate to be removed March 8 which is the week after school vacation ends; Academic excellence power point was presented; Advisory was encouraged to watch the SC meeting; track and field lighting is still be debated and there is a public hearing with the NRC tomorrow night.

HR/Wendy Paul – HR continues to work on fine tuning policies. The policies are being reviewed by town departments and town counsel. On March 2nd, HR will present the revised policies to Advisory.

COA/Corinne Monahan – at a recent meeting the \$25,000 for the kitchen study was discussed and voted.

Library/Corinne Monahan – provided an update on the recent Library Trustee meeting.

CPC/Doug Smith – at the last meeting CPC approved six funding motions under Article 16.

Coming attractions

February 23, 2022 – Discussion and voting will continue; Recreation will present on Article 31.

March 2, 2022 – Final TWFP; MS Paving; HR Article 25; DPW Article 19; DPW updated budget

Thursday, March 3, 2022 – Discuss and vote ATM Warrant Articles

Advisory members were advised to work with sponsoring boards on background information for Article write-ups.

Minutes

Jenn Fallon made and Corinne Monahan seconded a motion to approve the February 9, 2022 and February 12, 2022 minutes and adjourn the meeting

Roll Call Vote

Jennifer Fallon – yes

John Lanza – yes

Corinne Monahan - yes

Patti Quigley - yes

Tom Cunningham – yes

Jake Erhard – yes

Jeff Levitan - yes

Doug Smith – yes

Susan Clapham - yes

Al Ferrer - yes

Wendy Paul – yes

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Pete Pedersen - yes
Madison Riley – yes
Shawn Baker – yes

February 9, 2022 minutes and February 12, 2022 minutes were approved, 14 to 0 and meeting was adjourned at 10:11 p.m.

Documents Reviewed

<https://wellesleyma.gov/DocumentCenter/Index/1373>

- Advisory Presentation HS LED Project
- Town Hall Land Use Lease Presentation
- Select Board Warrant Articles Presentation