

TOWN OF WELLESLEY



MASSACHUSETTS

## BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

ELLEN F. GIBBS, CHAIR  
JACK MORGAN, VICE CHAIR  
MARJORIE R. FREIMAN, SECRETARY  
BETH SULLIVAN WOODS  
THOMAS H. ULFELDER

FACSIMILE: (781) 239-1043  
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[WWW.WELLESLEYMA.GOV](http://WWW.WELLESLEYMA.GOV)  
BLYTHE C. ROBINSON  
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

### SELECTMEN'S MEETING

#### *TENTATIVE AGENDA*

Wellesley Town Hall – Juliani Room

**7:00 P.M. Monday, September 18, 2017**

1. 7:00 Citizen Speak
2. 7:05 Executive Director's Update
  - Approval of Minutes
  - Babson Special Police Officer Appointment
3. 7:15 29 Wynnewood Road – Grant of location
4. 7:20 Preliminary Discussion FY19 Budget Guideline
5. 7:35 Town Counsel overview – 40B legal process
6. 8:05 Approve OPEB Trust Legislation Modifications
7. 8:20 Approval to Retain Special Counsel - Health Insurance Negotiations
8. 8:30 New Business/Correspondence
9. 8:35 Executive Session
  - Executive Session under G.L. c. 30A, §21(A), exemption #3a to discuss strategy with respect to collective bargaining

Next Meeting Dates: Tuesday, September 26, 2017 7:00 p.m.  
Thursday, September 28, 2017- Inter-Board Meeting 7:30 p.m.  
Monday, October 2, 2017 7:00 p.m.



## **MOTIONS- SEPTEMBER 18, 2017:**

2. **MOVE** to approve the regular session minutes of August 22 & 29, 2017.
  
2. **MOVE** to appoint Babson Police Officer Christine Verdolino as a Special Police Officer for the Town of Wellesley for a term to expire June 30, 2018.
  
3. **MOVE** to approve a grant of location to National Grid to install and maintain approximately 190 feet of 4-inch gas main on Wynnewood Road for the purpose of providing gas serviced to a house located at 29 Wynnewood Road, subject to the mill and overlay of the frontage of 29 Wynnewood to the existing paved surface width of the roadway.
  
6. **MOVE** to approve the revisions to the OPEB trust legislation as proposed.
  
7. **MOVE** to authorize the engagement of Attorney Kevin Feeley as Special Counsel to represent the Town in health insurance negotiations.
  
9. **MOVE** that the Board vote to enter into Executive Session under M.G.L. c 30A, §21 exception # 3a to discuss strategy with regards to collective bargaining. Furthermore, that Attorney Kevin Feeley, Treasurer/Collector Marc Waldman, HR Director Scott Szczebak, Blythe Robinson and Meghan Jop be invited to participate in the meeting.

**MOVE** to close the executive session and enter into open session solely for the purpose of adjournment.



9/15/2017

Black regular agenda items

***Board of Selectmen Calendar – FY17***

<b><i>Date</i></b>	<b><i>Selectmen Meeting Items</i></b>	<b><i>Other Meeting Items</i></b>
9/25 <i>Monday</i>	<b>Wellesley Club – NO MEETING</b>	
9/26 <i>Tuesday</i>	<b>Meeting</b> Adopt Budget Guideline & Approve Budget Manual 16 Stearns Rd 40B Gift from Parks North 40 Project Planning Prelim Discussion Babson one day license	
9/28 <i>Thursday</i>	<b>INTER-BOARD MEETING</b>	
10/2 <i>Monday</i>	<b>Meeting</b> Marathon Policy 2nd Read Whole Foods Alcohol License	
10/9 <i>Monday</i>	<b>Columbus Day – Town Hall Closed</b>	
10/10 <i>Tuesday</i>	<b>Meeting</b>	
10/16 <i>Monday</i>	<b>Meeting</b>	
10/23 <i>Monday</i>	<b>Meeting</b>	
10/30 <i>Monday</i>	<b>Meeting If needed</b>	
11/6 <i>Monday</i>	<b>Wellesley Club</b>	
11/7 <i>Tuesday</i>	<b>Meeting</b>	
11/13 <i>Monday</i>	<b>Meeting</b>	
11/20 <i>Monday</i>	<b>NO Meeting</b>	
11/27 <i>Monday</i>	<b>Meeting</b>	
12/4 <i>Monday</i>	<b>Meeting</b>	
12/9 <i>Saturday</i>	<b>BUDGET Meeting</b>	
12/11 <i>Monday</i>	<b>Meeting</b>	
12/18 <i>Monday</i>	<b>Meeting</b>	
12/25 <i>Monday</i>	<b>TOWN HALL CLOSED</b>	
1/1/18 <i>Monday</i>	<b>TOWN HALL CLOSED</b>	

9/15/2017

Black regular agenda items

<i><b>Date</b></i>	<i><b>Selectmen Meeting Items</b></i>	<i><b>Other Meeting Items</b></i>
9/25 <i>Monday</i>	<b>Wellesley Club – NO MEETING</b>	
1/8 <i>Monday</i>	<b>Meeting</b>	
1/15 <i>Monday</i>	<b>Town Hall Closed – MLK</b>	
1/16 <i>Tuesday</i>	<b>Meeting</b>	
1/22 <i>Monday</i>	<b>Meeting</b>	
1/29 <i>Monday</i>	<b>Possible STM Date</b>	
1/30 <i>Tuesday</i>	<b>Possible STM Date</b>	
2/5 <i>Monday</i>	<b>Possible STM Date</b>	
2/6 <i>Tuesday</i>	<b>Possible STM Date</b>	
2/12 <i>Monday</i>	<b>Meeting</b>	
2/19 <i>Monday</i>	<b>Town Hall Closed – President’s Day</b>	
2/20 <i>Tuesday</i>	<b>Meeting</b>	
2/26 <i>Monday</i>	<b>Meeting</b>	
3/5 <i>Monday</i>	<b>Meeting</b>	
3/12 <i>Monday</i>	<b>Meeting</b>	
3/19 <i>Monday</i>	<b>Meeting</b>	
3/26 <i>Monday</i>	<b>ATM Starts</b>	
3/27 <i>Tuesday</i>	<b>ATM</b>	
4/2 <i>Monday</i>	<b>ATM</b>	
4/3 <i>Tuesday</i>	<b>ATM</b>	

**Notes**

*Quarterly updates*

- *Traffic Committee (Deputy Chief Pilecki)*
- *Facilities Maintenance (Joe McDonough)*
- *Wellesley Club Dates 9/25/17, 11/6/17, 1/22/18, 3/5/18*

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BLYTHE C. ROBINSON  
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

Our regularly scheduled meeting **begins on Monday at 7:00 PM** in the Juliani Room at Town Hall.

1. Citizen Speak



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EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

### MEMORANDUM

DATE: September 15, 2017  
TO: Board of Selectmen  
FROM: Blythe C. Robinson, Executive Director  
SUBJECT: Weekly Report

---

Below are various activities of our office and various departments that I would like to bring to your attention.

- The substantial completion of the Tolles Parsons Center is close to being achieved. There have been some last minute issues with regard the height of a water hydration station (ADA compliance), and completion of safety matters such as the installation of stairway handrails and carpeting, and the cross walk signals. Various departments are making inspections and working towards resolving these matters so that the move can take place next week. Both the IT and FMD staff have been working hard to support the last minute work needed so that they are ready to operate when they arrive. Diane Campbell has reached out to us regarding the specifics of the celebration on October 22<sup>nd</sup>, and Ellen is in touch with her about that.
- As you know we had a sewer backup at Town Hall on Thursday afternoon. We're now starting the cleanup and restoration phase, though we don't yet know the extent of the damage or cost of repairs. The ground floor of the building is closed today, and we should be able to reopen all offices except the building department on Monday once the restoration company has removed carpeting and other affected items, and disinfected the areas. We are making arrangements to set up temporary quarters for the building department in the Great Hall. Not ideal, but necessary.
- Marybeth Martello is hard at work putting the finishing touches on the Town's application to the Green Communities program. The application is due by October 30<sup>th</sup>,

however the State allows towns to turn in a draft for comments ahead of time to obtain feedback to ensure we're on the right track. The Board will need to act to approve aspects of the plan before the end of October, and we'll bring those to you when ready. There is also a fair amount of work being done by FMD to define the specifics in the energy reduction plan, and assist Marybeth in calculating the savings from these that will help the town realize the 20% reduction in energy use over five years.

- This week our GIS department loaded new ortho-photography data into our system that shows Wellesley as of April, 2017. The early spring data was important because it was done before trees leaf out, and gives us a better view of conditions on each parcel. Evidently this was the first update in 3 years, so there may be a number of changes that are noticeable. Should you like to take a look, the link is:  
<http://www.mapsonline.net/wellesleyma>.
- As we move towards approval of the operating budget guideline at the end of the month, Ellen has asked that we coordinate all comments and feedback. Specifically, please either send me an email with what you have received, or have them submit their feedback directly. I will take responsibility for compiling all of that information and disseminating it to the full board. Copies of emails or memos regarding the budget manual are included in your correspondence (from Library, DPW and NRC).
- We understand that review of the Delanson Circle project continues at the MassHousing Partnership. Evidently they have indicated to the developer that they have various concerns with the project, most significant of which is the density, and have recommended that it be reduced from 95 units to 66. While this is still higher than we would like, it is a move in the right direction. We further understand that the developer has offered to reduce the units only by five to 90, so we'll see how this goes. Meghan has included in your packet the denial letter for the 40B project in Medfield that you may find interesting. There have only been two other denials in the past five years and those were both on procedural matters so those aren't included, but we can get them to you if you would like.
- HR held the annual ice cream social for employees on Thursday afternoon. It was very well attended and a fun time to get together socially with employees across the organization. Hot fudge makes everything better!
- Over the past week DPW and Environmental Partners, our engineering firm for the North40 project, have been out completing field work related to the design of the final closure of the landfill. In doing so, they unfortunately came upon a piece of moss-covered asbestos pipe laying on the ground that looked as though it had been there for some time. Measures are being taken to wrap the pipe and then dispose of it, which could cost as much as \$1,500.
- Dick Joyce confirmed that the MLP did vote to adopt the LED pilot street light program at their meeting on September 6<sup>th</sup> and it will be underway by September 18<sup>th</sup>.
- Included with your packet is a memo from me outlining the actions we have taken on the property at 25 Shaw Road, and options on regulating short term rentals in the future. If this is an avenue you would like to pursue, we should begin discussions on it in case we want to propose a warrant article for the annual town meeting.

- Also on this topic - I will be attending a metro-west Town Managers meeting late next week in Sudbury. One of the topics for the meeting is regulating short-term property rentals such as AirBnB!
- Included in your packet are two harassment petitions to the State regarding Mr. Alexander, one from the town/school asking that a request by Mr. Alexander to reproduce a large number of records requests for him that he has made of us, and a second from the Police Department that
- Unfortunately, recently we received a counterfeit \$100 bill in the Treasurer's Office from someone who had paid a bill. The bill was accepted by the Town, and by our bank, but then identified as fake further on in the process. We are investigating the possibility of limiting the size of cash payments that we take, and simultaneously what other options people will have to make payments to not only this office, but all departments across the organization. We'll keep you informed of any changes that may impact our customers.
- I have been asked to speak at the Wellesley Service League's Men's Group meeting in October, which I am planning to attend.
- If you've been in the Great Hall recently I hope you will agree that the space is looking neater and less cluttered (except for housing the building department for a while). FMD has been steadily working on relocating materials that do not need to be there. The PBC items are all removed and the auditors are using that space while they are here through next week. The space across from that between SEC and Youth Commission is greatly reduced, and a number of items removed from the balcony. We are getting there, thanks to Bill and Dot!
- Next week we anticipate a preliminary draft of the Communications Plan from the State for Brian and I to review, followed by a meeting of the boards and departments to then review, comment and strategize.
- The Historical Commission met this week and took action on six demolition delay applications. Four were determined not to need action and no delay imposed, while the other two were determined that they should be preferably preserved and thus require a one-year delay.
- Ellen and I have been communicating this week on the list of liaison assignments and that two ought to be added. As a result, there is a new list in your packet which shows assignments to the Board of Assessor's and World of Wellesley, to be taken up by Tom and Beth.
- Also included in your packet is the FY18 work plan and updates for September. The completion of the aqueduct leases and the appointments policy have shortened the items on the list!



## 2. Executive Director's Update

- Approval of Minutes - the minutes of the following meetings are included in your packet for approval.
  - August 22<sup>nd</sup> – regular meeting
  - August 29<sup>th</sup> – regular meeting

**MOVE** to approve the regular session minutes of August 22 and 29, 2017.



1 **Board of Selectmen Meeting: August 22, 2017**  
2 **Present: Gibbs, Morgan, Ulfelder, Sullivan Woods (Freiman Absent)**  
3 **Also Present: Robinson, Jop**  
4 **Minutes Approved:**

5  
6 Meeting Documents:

- 7 1. Agenda
- 8 2. Agenda Background Memorandum
- 9 3. Weekly Report
- 10 4. BOS Calendar
- 11 5. Draft Minutes of July 31, 2017
- 12 6. Babson One Day License Requests
- 13 7. COA Gift
- 14 8. Request to appoint crossing guard
- 15 9. Memo from Joe McDonough re: FY17 Status Report
- 16 10. Memo from Joe McDonough re: Name Change to Facilities Management Department
- 17 11. MAPC Line Painting Contract
- 18 12. Draft Budget Preparation Manual
- 19 13. Draft Boston Marathon Proceeds Policy
- 20 14. Memo from T. Connolly Re: Boston Marathon Funds Policy Questions
- 21 15. 342 Washington Aqueduct Lease Materials
- 22 16. Letters of Commendation
- 23 17. Current seating of restaurants over 100 seats.

24  
25 **1. Call to Order**

26  
27 Ms. Gibbs, Chair, called the meeting to order at 7:00 p.m. Ms. Gibbs noted the World of Wellesley  
28 would be holding an event on August 27, 2017 to celebrate community from 2:00 pm to 4:00 pm at the  
29 Warren Building.

30  
31  
32 **2. Citizen's Speak**

33  
34 None.

35  
36 **3. Executive Director's Update**

37  
38 Ms. Robinson gave a brief update noting a meeting consisting of 18 staff was held to discuss electronic  
39 permitting. An RFP will be issued in late spring to seek vendors. Ms. Robinson noted the work on the  
40 study of the exterior of the Town Hall has begun. Ms. Robinson also reported that the proposed Babson  
41 College fireworks have been cancelled.

42  
43 Minutes

44 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
45 **approve the regular session minutes of July 31, 2017.**

46  
47 Gift

48 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
49 **accept a gift of \$559.00 from the Friends of the Wellesley Council on Aging for the July lunch**  
50 **program.**

51  
52 Babson One Day Licenses

53 The Board discussed the two proposed one day licenses for events to be held at Babson College.

54

55 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
56 **approve a One Day License for Babson College on September 15, 2017 in Knight Auditorium for**  
57 **the CAETA event.**  
58

59 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
60 **approve a License for Babson College on September 15 & 16, 2017 at various locations on campus**  
61 **for Alumni Weekend**  
62

63 Crossing Guard Appointment

64 The Board reviewed the appointment recommendation from the Chief of Police to appoint Frances M.  
65 Lyons as a Crossing Guard.  
66

67 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
68 **appoint Ms. Frances Lyons as a Crossing Guard for a term to expire on June 30, 2018.**  
69

70 **4. Facilities Maintenance Department – Five-Year Review**  
71

72 Mr. Joe McDonough, Director of Facilities Maintenance, gave a presentation reviewing the first five  
73 years of operations of the department. Mr. McDonough noted the department was created in July of 2012  
74 and now currently manages 29 buildings with approximately 1.2 million square feet. The department  
75 manages utilities, energy, maintenance and custodial services, and capital projects. The department has  
76 worked to increase cash capital projects to \$2 million a year. Mr. McDonough reviewed the current  
77 consolidation of staff with the Permanent Building Committee. He further reviewed sustainability  
78 measures implemented by the department in coordination with the school department and the Sustainable  
79 Energy Committee.  
80

81 The Board discussed the highlights of the department’s efforts over the past five years and complemented  
82 Mr. McDonough on his leadership and forethought on needed projects.  
83

84 Mr. McDonough requested the Board consider renaming the department from the Facilities Maintenance  
85 Department to the Facilities Management Department to accurately reflect the services provided and the  
86 mission of the department. The request was favorably received by the Board.  
87

88 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
89 **rename the “Facilities Maintenance Department” the “Facilities Management Department”.**  
90  
91

92 **5. Housing Production Plan Update**  
93

94 Ms. Deborah Carpenter, Planning Board Chair, and Mr. Michael Zehner, Planning Director joined the  
95 Board. Ms. Jop and Mr. Zehner gave a brief overview on Housing Production Plans (HPP). Ms. Jop noted  
96 the HPP is a five year plan that utilizes an assessment to initially evaluate the existing housing stock and  
97 determine future housing needs. The HPP sets affordable housing goals and implementation strategies  
98 through a public process to determine how the Town will meet its affordable housing requirements. Mr.  
99 Zehner reviewed the potential number of 40B applications the Town is facing and described the safe  
100 harbor that a HPP can provide. Mr. Zehner noted an HPP costs approximately \$30,000 to \$35,000 and the  
101 Planning Board has authorized the use of \$15,000 towards the plan. Mr. Zehner discussed funding options  
102 including CPC Funding and the potential use of Inclusionary Zoning funds held by the Wellesley Housing  
103 Development Corporation. Mr. Zehner noted Town Counsel is currently reviewing the ability of the Town  
104 to use the WHDC funds. Mr. Zehner noted the use of CPC funds would require Town Meeting action.  
105 Mr. Zehner described the potential for funds through MAPC technical assistance as another alternative.  
106

107 The Board discussed the components of the Housing Production Plan. Ms. Sullivan Woods asked the  
108 Board to consider whether Special Counsel might be needed given the complexity of the legal issues. Mr.

109 Zehner noted Mr. Chris Heep of Miyares and Harrington has successfully worked to stop 40B projects  
110 from one of the current Wellesley developers in Reading, MA.

111  
112 Mr. Ulfelder questioned the process for determining locations for construction. He noted the process must  
113 be objective and consider all possible locations including town land. Ms. Jop and Mr. Zehner noted the  
114 consultants would evaluate all sites that have the potential to be developed.

115  
116 The Board was supportive of moving forward with a Housing Production Plan and issuing an RFP. They  
117 asked staff to consider opportunities to fund the needed \$30,000 to \$35,000 for the study. Ms. Gibbs  
118 asked if anyone present would like to speak.

119  
120 Mr. Pete Buhler, 10 Stearns Road, encouraged the Board to proceed with an HPP with speed and  
121 efficiency. He asked the Board in responding to site eligibility requests to consider including all  
122 municipal actions to date that have worked towards increasing affordable housing including the Unified  
123 Plan. He asked the Board to think creatively and noted the neighbors are here to assist in the process  
124 moving forward.

125  
126 Mr. Kevin Walsh, 64 Oak Street, noted he formerly lived on Francis Road and Stearns Road. He  
127 encouraged the Board to consider the immediacy of moving forward with a HPP. He noted the speed of  
128 the contractors is moving fast, so we need our elected leaders to step up and act fast. The neighbors are  
129 desperate and moving forward will be helpful.

130

131

132 **6. Approve MAPC Contract for Pavement Markings**

133

134 Ms. Jop noted the Town has collaborated with MAPC to procure a joint bid for pavement markings (street  
135 line markings). The bid is good for all participating Metrowest Regional Collaborative communities. To  
136 finalize the procurement, the Board must approve the winning contractor contingent upon obtaining a  
137 prevailing wage schedule. The term of the contract is presently from current day to December 31, 2017,  
138 however the Town has the ability to extend the contract through December 31, 2019 without requiring a  
139 new bid.

140

141 The Board was supportive of the contract and regional process with MAPC.

142

143 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
144 **award the MW 2017 PW1 statewide contract procured by MAPC for pavement markings to**  
145 **Markings Inc. until December 31, 2017.**

146

147

148

149 **7. Review Budget Preparation Manual**

150

151 Ms. Robinson reviewed the current draft of the Budget Preparation Manual noting edits from the previous  
152 version. The Board discussed the proposed dates for the Inter-Board Meeting currently scheduled for  
153 September 28, 2017. The Board discussed financial placeholders for years when unsettled contracts exist.  
154 The Board did not reach resolution on the topic. The Board discussed comments received to date, and  
155 encouraged Ms. Robinson to redistribute the current draft to Department Heads. Ms. Robinson noted the  
156 capital budget forms have been distributed.

157

158

159 **8. Boston Marathon Proceeds Policy – First Read**

160

161 Ms. Robinson presented the Board with a new policy to clarify the use and distribution of funds and  
162 invitational entries allocated to the Town by the Boston Athletic Association. Ms. Robinson noted Mr.

163 Terry Connolly, Deputy Director, has been administering the Marathon process for several years and has  
164 prepared the initial policy draft for the Board's consideration. Ms. Robinson noted the policy is intended  
165 to give an overview of the process. In preparation of the policy, a review was conducted on what  
166 comparable Marathon Route communities were doing with their funds. Mr. Connolly suggested some  
167 ideas for the Board to consider.  
168

169 The Board overall thought the draft was a good start. The Board asked for time to consider the policy and  
170 asked for it to be placed on a future meeting agenda for further consideration. Ms. Robinson encouraged  
171 members to send comments to her on the draft policy.  
172

173 **9. Approval of Aqueduct Leases**  
174

175 Ms. Robinson gave a brief review of the last outstanding Cochituate Aqueduct Lease with Bank of  
176 America located at 342 Washington Street. Ms. Robinson noted there were some initial questions relative  
177 to the Title of a small portion of the Aqueduct. Town Counsel has reviewed the title and verified the  
178 Town's ownership and ability to proceed with the lease.  
179

180 **Upon a motion by Mr. Morgan and seconded by Ms. Sullivan Woods, the Board voted (4-0) to**  
181 **award a 5-year land lease for parcel E located at 342 Washington Street to Bank of America in**  
182 **accordance with the Request for Proposals dated, June 14, 2017 and their submittal dated July 24,**  
183 **2017. Said lease to commence September 1, 2017. And to authorize staff to submit required notices**  
184 **and disclosure to the Central Register and DCAMM.**  
185

186 **10. New Business Correspondence**  
187

188 There was no new business.  
189

190 **The meeting adjourned at 9:37 pm.**  
191

1 **Board of Selectmen Meeting: August 29, 2017**

2 **Present: Gibbs, Morgan, Freiman, Ulfelder, Sullivan Woods**

3 **Also Present: Robinson, Jop**

4 **Minutes Approved:**

5  
6 Meeting Documents:

- 7 1. Agenda
- 8 2. Agenda Background Memorandum
- 9 3. Weekly Report
- 10 4. BOS Calendar
- 11 5. Draft Minutes of August 15, 2017
- 12 6. COA Gift
- 13 7. Request to appoint Historical Commission Members
- 14 8. Memo from Sheryl Strother, Finance Director, re: Guidelines
- 15 9. Draft Budget Preparation Manual
- 16 10. Memo from Joe McDonough re: MSBA Senior Study Site Visit
- 17 11. Draft Modifications to Alcohol Regulations
- 18 12. Draft Complete Streets Policy
- 19 13. Memo from Michael Zehner, re: Complete Streets Policy
- 20 14. Draft Appointment Policy
- 21 15. Masshousing letter re: 16 Stearns Road
- 22 16. Submitted Volunteer Form
- 23 17. Masshousing extension letter
- 24 18. Building Permit Revenue
- 25 19. Veteran's Monthly Report
- 26 20. September 11<sup>th</sup> Memorial Service Memo
- 27 21. Supervisory of Records – re: Administrative Appeal
- 28 22. Current seating of restaurants over 100 seats.

29  
30 **1. Call to Order**

31  
32 Ms. Gibbs, Chair, called the meeting to order at 7:00 p.m.

33  
34 **2. Citizen's Speak**

35  
36 Ms. Lynn Cristiana, 22 Francis Road, came before the Board and voiced her concerns with the proposed  
37 40B at 16 Stearns Road noting concerns on traffic and safety of the neighborhood community. She stated  
38 there is a need for urgency in being proactive with 40Bs.

39  
40 Mr. Pete Buhler, 10 Stearns Road, stated there are 29 children who will be impacted by 72 cars exiting at  
41 the same time as children are leaving for school with the construction of the proposed 40B at 16 Stearns  
42 Road.

43  
44 Ms. Marie Natoli, 11 Francis Road, stated the number of children over the past years has grown. She  
45 noted she is a proponent of affordable housing, but this location is not effective in incorporating the  
46 households into the neighborhood.

47  
48 Mr. Joe Assan, 11 Stearns Road, stated he has lived on the street since 2013. His family was hoping to  
49 stay in house forever. He is asking the Selectmen to do what they can to assist the neighbors. He has a  
50 40B proposed to the rear, and a 40B proposed across the street from his property and feels helpless.

51  
52 Ms. Abby Stark, 6 Stearns Road, stated there is currently a sense of safety on the street, but that the idea of  
53 70 cars coming down the road when kids are not paying attention walking to school was a concern. She  
54 believed the location to be unacceptable due to logistical issues.

55  
56 Mr. Vincent Stark, 6 Stearns Road stated the Town has been ignoring the need for affordable housing and  
57 that he would love to see the Town take a more proactive role. He discussed Needham documents where  
58 Needham acknowledges 40B and gives guidance. He asked the Town to consider how this project can be  
59 done in a more reasonable fashion noting he would prefer to see more projects at a reasonable size.  
60

61 **3. Executive Director's Update**

62  
63 Ms. Robinson gave a brief update on recent updates and work on the Animal Control Guidelines. She  
64 noted there was a kick off meeting with the unions on health insurance on Wednesday, August 23, 2017.  
65 Ms. Robinson stated a lift is on site at Town Hall to work on the assessment of the exterior of the  
66 building. Urns from the portico were removed, as they were in danger of falling. The FMD staff is  
67 working to have bids for the renovations available for the Annual Town Meeting. Ms. Robinson noted the  
68 Town has also been made aware that Whole Foods is interested in getting a license for the retail sale of  
69 beer and wine.  
70

71 The Board asked for updates on the health insurance discussions and provided strategic guidance. Ms.  
72 Robinson reviewed several possible directions the Town can pursue including high deductible plans, GIC,  
73 MIIA plans, or individual carriers. She noted the Town needs to be cost effective, and that all possibilities  
74 are being reviewed.  
75

76 Minutes

77  
78 The Board took no action on the minutes.  
79

80 Gift

81 **Upon a motion by Ms. Freiman and seconded by Mr. Morgan, the Board voted (5-0) to accept a gift**  
82 **of \$1,726.40 from the Friends of the Wellesley Council on Aging to support the provision of coffee**  
83 **service in the café at the Tolles Parsons Center.**  
84

85 Appointment of Historical Commission Members

86 Mr. Grant Brown, Chair of the Historical Commission, joined the Board. Mr. Brown reviewed the  
87 requested appointments and their backgrounds and specialties. The Board commended Mr. Brown for the  
88 thoughtful process and selection of candidates.  
89

90 **Upon a motion by Ms. Freiman and seconded by Mr. Morgan, the Board voted (5-0) to approve the**  
91 **Full Members and Alternate Board Members as proposed by the Historical Commission.**  
92

93 **4. Discuss FY19 Budget Guidelines and Budget Manual**

94  
95 Ms. Sheryl Strother, Finance Director, joined the Board. Ms. Strother reviewed the basic budget  
96 components including the 2017 expenses, turnback, projected FY 18 receipts, and favorable spending.  
97 Ms. Strother noted further analysis is needed on SPED costs. Ms. Strother discussed the FY18 current  
98 outlook that includes an increase in health insurance enrollment far above projections, which financial  
99 services will continue to monitor. Budget concerns for FY19 include outstanding contracts, local receipts,  
100 and state budget holding flat. She noted capital project requests have increased, health insurance costs are  
101 escalating, and OPEB is being re-evaluated.  
102

103 The Board discussed cash capital and moving some projects into debt-funded capital requests, noting the  
104 Board must be consistent in the handling of capital requests at Town Meeting.  
105

106 Ms. Strother reviewed the budget models with various guidelines and projected deficits. The Board noted  
107 departments would need to take a hard look at their line items. Mr. Morgan noted the Town reserves are  
108 at the bottom of our range, and asked Ms. Strother when the Town should receive the Pension and OPEB

109 Evaluations. Ms. Strother noted the evaluations might be back to the Town in October. The Board briefly  
110 discussed an override and noted significant concerns given the need for large debt exclusions in the near  
111 future.

112  
113 The Board briefly discussed the draft budget manual and timeline and determined additional input is  
114 needed prior to finalization.

115  
116 **5. Update on Hardy, Hunnewell, and Upham Elementary Schools**

117  
118 Mr. Morgan gave a brief update on the status of Hardy, Hunnewell, and Upham Elementary Schools. He  
119 noted the Town is under consideration for Massachusetts School Building Authority (MSBA) funding and  
120 that a site walk of the three schools was conducted. The MSBA was impressed with all the work the  
121 Town has done. He noted the MSBA is looking at the Town as a consolidation of schools from three  
122 schools to two Schools. Based upon the potential funding from the MSBA, the Town will not seek  
123 funding for feasibility at a November Special Town Meeting. Mr. Morgan noted the School Building  
124 Committee will continue to analyze the swing space options. If the Town is not accepted by the MSBA,  
125 the Town will commence with the Request for Qualifications and may have a January Special Town  
126 Meeting. Mr. Morgan explained the potential MSBA funding is 15-30 million. There is a low percentage  
127 of being accepted, but the funds would make a big difference in our long-range plan.

128  
129  
130 **6. Modification to Common Victualler Alcohol Regulations**

131  
132 Mr. David Himmelberger, attorney representing Smith and Wollensky's joined the Board. Mr.  
133 Himmelberger had requested a revision to the current regulations. Ms. Jop gave a brief overview of the  
134 proposed changes to the Common Victualler Alcohol Regulations that would remove the greater of 10%  
135 or 10 bar seat maximum and alter the threshold to 10% of the interior seats of the licensed establishment.  
136 The provision allows restaurants with over 100 seats to increase the number of bar seats accordingly. The  
137 Board discussed whether the bar seats are included as part of the seating capacity and determined that all  
138 bar seats should be counted toward the capacity. The Board asked for the regulations to clarify that the  
139 10% is determined by the permanent interior seats and shall not include exterior seasonal seating. The  
140 Board asked Ms. Jop to consider linking the 10% threshold to the review of the licensed premise. Mr.  
141 Himmelberger was supportive of the proposed language changes.

142  
143 The Board noted that they were generally supportive of the proposed change to the regulations. Ms. Jop  
144 noted a public hearing is scheduled for September 11, 2017 for comments on the proposed changes.

145  
146 **7. Review Complete Streets Policy**

147  
148 Ms. Robinson gave a brief review of the Complete Streets Policy noting the Board had an introduction to  
149 the materials in June, but tonight is the first discussion on the matter. Ms. Robinson noted adoption of the  
150 policy allows the Town to proceed to phase two which creates a prioritization and implementation plan.  
151 The phase two plan allows the Town to seek competitive grants to complete projects complying with the  
152 Complete Streets Policy. The Board raised several questions including the impact of the policy on current  
153 road projects, on future capital projects, and the types of project the Town envisions seeking grant  
154 funding moving forward. The Board thought it would be helpful for Mr. Mike Regan, Town's traffic  
155 consultant, Mr., Mike Pakstis, DPW Director, and Mr. Dave Hickey, Town Engineer to come to the next  
156 discussion on the policy. The Board also asked for information about peer town participation and  
157 experiences.

158  
159  
160  
161  
162

163 **8. Appointment Policy**

164

165 Ms. Robinson discussed the latest draft of the Appointment Policy. The Board thanked Mr. Ulfelder for  
166 his work on the revised draft. The Board discussed expanding the term “qualified” to include expertise,  
167 community work, and professional experience. Mr. Ulfelder noted a substantive clause has been added  
168 about boards sending in their input to the Selectmen as appointing authority. The Board had several  
169 additional changes suggested.

170

171 **9. Executive Session**

172

173 Ms. Gibbs noted the Board would not be taking up any matters in executive session.

174

175 **10. New Business Correspondence**

176

177 There was no new business.

178

179 **The meeting adjourned at 9:35 pm.**

180

- Babson Special Police Officer Appointment – enclosed please find a memo from Chief Pilecki asking that Babson Officer Christine Verdolino be appointed as a special police officer for the Town of Wellesley.

**MOVE** to appoint Babson Police Officer Christine Verdolino as a Special Police Officer for the Town of Wellesley for a term to expire June 30, 2018.





# TOWN OF WELLESLEY POLICE DEPARTMENT

WELLESLEY, MA 02482  
Telephone 781-235-1212

JACK PILECKI  
Chief of Police

## MEMORANDUM

**TO:** HONORABLE BOARD OF SELECTMEN  
**FROM:** JACK PILECKI  
CHIEF OF POLICE  
**CC:** BLYTHE ROBINSON, EXECUTIVE DIRECTOR  
**SUBJECT:** APPOINTMENT OF SPECIAL POLICE OFFICER  
**DATE:** September 12, 2017

---

Ladies and Gentlemen,

The intent of this memo is to recommend that Babson College Police Officer Christine Verdolino be appointed as a Wellesley Special Police Officer by the Board of Selectmen. Historically, the Board of Selectmen has appointed Babson College officers as Wellesley Special Police Officers.

As appointed specials, the Babson College officers are able to assist our department with events such as motor vehicle accidents, alarms, and the Boston Marathon. It may also enable them to work private details when sufficient numbers of Wellesley Police officers are not available.

Please let me know if you have any questions.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink that reads "Jack Pilecki".

JACK PILECKI  
CHIEF OF POLICE



### 3. **29 Wynnewood Road – Grant of location**

National Grid has made application for a grant of location to extend the existing 4-inch gas main from #22 Wynnewood Road to service a house at #29 Wynnewood. The Engineering Division initially raised concerns as Wynnewood Road was last repaved in 2016. They asked the developer to submit all utility plans (water, sewer, gas) to understand the connection locations. The plans have been submitted. Engineering is requesting the Board condition the permit to require the developer mill and overlay the entire frontage of 29 Wynnewood Road the entire width of the existing paved surface of the road.

**MOVE** to approve a grant of location to National Grid to install and maintain approximately 190 feet of 4-inch gas main on Wynnewood Road for the purpose of providing gas serviced to a house located at 29 Wynnewood Road, subject to the mill and overlay of the frontage of 29 Wynnewood to the existing paved surface width of the roadway.



**PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS**

**Town of Wellesley / Board of Selectmen:**

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **Town of Wellesley** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

**To install and maintain approximate 190 feet more or less of 4 inch gas main in Wynnewood Rd., Wellesley. From the existing 4 inch gas main at house #22 westerly to house # 29 to provide a gas service to house # 29 Wynnewood Rd.**

Date: July 20, 2017

By: Barbara H. Kelleher  
Barbara H. Kelleher  
Permit Representative

**Town of Wellesley / Board of Selectmen:**

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Wellesley** substantially as described in the petition date July 20, 2017 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **Town of Wellesley** applicable to the enjoyment of said locations and rights.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

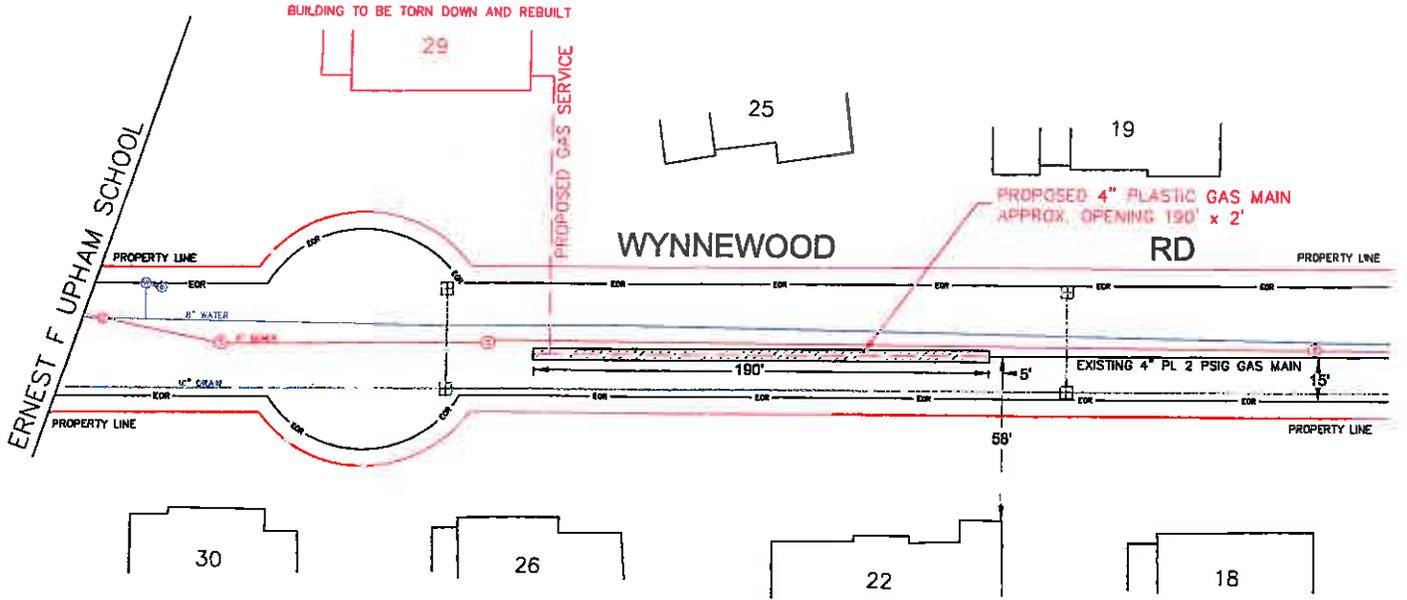
I hereby certify that the foregoing order was duly adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_, MA on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_

\_\_\_\_\_  
Title

WO# 1165482

**RETURN ORIGINAL TO THE PERMIT SECTION  
NATIONAL GRID  
40 SYLVAN RD, WALTHAM, MA 02451  
RETAIN DUPLICATE FOR YOUR RECORDS**



- LEGEND**
- PROPOSED GAS
  - EXISTING GAS
  - WATER
  - SEWER
  - 2\"/>

**NOTE:**  
 THE LOCATION OF SURFACE AND  
 ALL UTILITIES SHOWN TO BE TO  
 CALL 811 BEFORE YOU DIG  
 TRENCH AND VERIFY EXISTING UTILITIES  
 AND AVOIDANCE DATA SERVICES  
 NO FIELD VERIFICATION PROVIDED

NO.	DESCRIPTION	DATE	DESIGN	CHECK	APP'D

**nationalgrid**  
 185 GUILDFORD ROAD  
 WELLESLEY, MA 02481

**GRANT OF LOCATION**  
 PROPOSED OPENING TO INSTALL A NEW 4" PLASTIC GAS MAIN  
 AND A NEW 2" PLASTIC GAS SERVICE  
 39 WYNNEWOOD RD., WELLESLEY, MA 02481

DESIGN/DATE	DATE	SIZE	PRESSURE	MATERIAL	DEPTH	WORK ORDER NO.
	07/17/2017	4"	2 PSIG	PLASTIC	180"±	

**SCALE: N.T.S.**  
 SHEET 1 OF 1  
 DRAWING NO.  
**GS-WEL**  
 11854C2-17-233

**4. Preliminary Discussion FY19 Budget Guideline**

At the August 29<sup>th</sup> board meeting Sheryl Strother provided a presentation on the Town's financial situation now that the books are closed on FY17, and projections of what different budget guideline scenarios would have for FY19. Included in your packet is the one-page spreadsheet showing the four scenarios we have modelled, so the Board can have further discussion about those options prior to taking action on the guideline at the September 26<sup>th</sup> meeting. At the time this packet was prepared on Friday, we have not received any written comments about the guideline. There was a department head meeting on Thursday, September 14<sup>th</sup> and staff was made aware of the timetable to discuss and then set the guideline, and that an inter-board is scheduled for September 28<sup>th</sup>.

**NO MOTION**







**5. Town Counsel overview – 40B legal process**

We have invited Tom Harrington and Chris Heep to attend this meeting to provide the Board with an overview of the legal aspects of addressing affordable housing projects regulated by Chapter 40B. Specifically, they will discuss the process from when a project has been determined to be eligible by a state agency, to a comprehensive permit issued by the Zoning Board of Appeals. Included in your packet is a PowerPoint presentation prepared by them for the meeting.

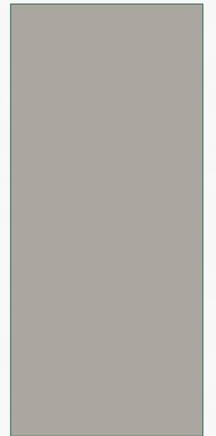
Additional 40B related documents in the other correspondence section (tab 8) of the FNM include a draft letter to Masshousing regarding the proposed 40B at 16 Stearns Road. The Planning Board will be reviewing the draft at their meeting on Monday 9/18. The Board will review the letter and take public comment at the meeting on 9/26. The Town has also received the proposed plans for the 40B at 135 Great Plain Avenue. A copy of the site plan and proposed architectural plans have been included in your packet. We are awaiting the Project Eligibility Letter from the state.

**NO MOTION**



# OVERVIEW OF CHAPTER 40B

MIYARES AND HARRINGTON LLP  
SEPTEMBER 2017



# PURPOSE

- M.G.L. c.40B §§ 20-23 authorizes the issuance of a single, or comprehensive, local permit.
- The statute was enacted to:
  - Facilitate the construction of low- and moderate-income housing;
  - Avoid perceived long delays in developers' proposals to construct affordable housing;
  - Allow waiver of local zoning by-laws that are not "consistent with local needs."

# STEP 1-PROJECT ELIGIBILITY

- Minimum project eligibility requirements:
  - Applicant must be a public agency, non-profit organization, or limited dividend organization;
  - Project shall be fundable by subsidizing agency under low- or moderate-income subsidy program; and
  - Applicant shall control the site.
  - See 760 CMR 56.04(1).

## ELEMENTS OF APPLICATION SUBMITTED TO SUBSIDIZING AGENCY

- Existing site conditions and locus map;
- Tabulation of proposed buildings with approximate number, size, type and ground coverage;
- Conceptual site plan and exterior elevations of proposed buildings;
- List of requested zoning waivers; and
- Evidence of site control.
- See 760 CMR 56.04(2) for comprehensive list.

# 30-DAY REVIEW PERIOD

- Subsidizing agency has 30 days upon receipt of application to make a determination of project eligibility. See 760 CMR 56.04(3).
  - Must provide written notice to chief executive officer of municipality where project located, conduct a site visit, and accept written comments from local boards and other interested parties.
- The subsidizing agency must make the following general findings:
  - The project appears eligible for a housing subsidy program, the site appears appropriate for residential development, the conceptual project design is appropriate, the project appears financial feasible, initial *pro forma* has been reviewed, the applicant is a qualifying entity, and controls the site.

# PROJECT ELIGIBILITY LETTER

- A project eligibility letter from the Applicant's subsidizing agency establishes that the eligibility requirements of 760 CMR 56.04(1) have been satisfied, and that the Applicant may proceed to the Zoning Board of Appeals.

## STEP 2: APPLICATION FOR COMPREHENSIVE PERMIT

- Zoning Board of Appeals is the only board with jurisdiction to decide comprehensive permit applications.
- Zoning Board possesses the authority to act for all “local boards,” which is broadly defined to include practically all relevant boards and officials. See 760 CMR 56.02.

## STEP 2: LOCAL HEARING

- The Applicant must file a complete application with the Zoning Board of Appeals.
- This application must contain the items listed in:
  - 760 CMR 56.05(2)(a)-(h); and
  - Section 3.01(a)-(v) of the Board's Comprehensive Permit Rules.

# PUBLIC HEARING- IMPORTANT MILESTONES

- The filing of the application triggers the following deadlines:
  - 7 days: The Board shall notify each local board of application by sending notice of application and copy of list of waivers. The Board shall also invite participation of each local board as is deemed necessary or helpful in making decision.
  - 14 days: Notice of public hearing is provided pursuant to M.G.L. c.40A § 11.
  - 30 days: Board shall open its public hearing.
  - 180 days: Close hearing (absent extension agreement with the Applicant).
  - 40 days (after close of the hearing): The Board must file its written decision with the Town Clerk.

## **PUBLIC HEARING: EARLY ACTION ITEMS**

- Review application materials for completeness.
- Establish process for hiring peer review consultants and funding of §53G account by the Applicant.
- Solicit comments from Town boards and department.

# GENERAL LEGAL STANDARD APPLICABLE TO 40B APPLICATIONS

- Consistency with Local Needs = central issue
- Means either:
  - (a) one or more of the grounds set forth in 760 CMR 56.03(1) have been met, or
  - (b) Local Requirements are reasonable in view of the regional need for Low and Moderate Income Housing, considered with the number of Low Income Persons in the affected municipality and with Local Concerns, and if such Local Requirements and Regulations are applied as equally as possible to both subsidized and unsubsidized housing.

# GENERAL GROUNDS FOR DENIAL OF COMPREHENSIVE PERMIT

- 760 CMR 56.03(1): A Board may deny a comprehensive permit within 15 after opening its public hearing if:
  1. Municipality has achieved Statutory Minima (10%) in accordance with 760 CMR 56.03(3).
  2. DHCD has certified municipality's compliance with its Housing Production Plan per 760 CMR 56.03(4).
  3. Municipality has made recent progress towards Statutory Minima per 760 CMR 56.03(5).
  4. Project is a large project per 760 CMR 56.03(6).
  5. A related application has previously been received per 760 CMR 56.03(7).

# WELLESLEY'S COMPLIANCE WITH STATUTORY MINIMA

- Wellesley cannot currently deny application based on the regulatory criteria of 760 CMR 56.03(1) because:
  - No 10% affordable housing.
  - No certified Housing Production Plan.
  - No recent progress towards statutory minima.
    - Number of SHI eligible housing units created in 12 months prior to receipt of application must be  $\geq 2\%$  of municipality's total housing units.
  - Applicant not a "large project."
  - No related application previously received.

# CONSISTENT WITH LOCAL NEEDS

- Absent satisfaction of statutory minima enumerated in 760 CMR 56.03(1), local regulations will be deemed “consistent with local needs” if they are reasonable in light of:
  1. The regional need for low- and moderate-income housing / the number of low-income persons in town.
  2. The need:
    - a. To protect health and safety of occupants of proposed housing or of the residents of the city or town;
    - b. To promote better site and building design in relation to surroundings; and
    - c. To preserve open spaces

If such regulations are applied as equally as possible to both subsidized and unsubsidized housing. M.G.L. c.40B § 20.

# WAIVERS FROM LOCAL REQUIREMENTS AND REGULATIONS

- Pursuant to 40B, the Board may waive local requirements and regulations, including zoning by-laws, which are not “consistent with local needs.”
  - See Jepson v. Ipswich Bd. of Appeals, 450 Mass. 81, 90 (2007) (stating 40B only permits the waiver of local requirements, not state laws).
- Zoning waivers required solely from “as-of-right” requirements of zoning district where project site located. 760 CMR 56.05(7).
  - Special permit requirements are inapplicable to 40B projects.

# WAIVERS FROM LOCAL REQUIREMENTS AND REGULATIONS

- The Applicant must provide a list of all waivers being sought.

# “UNECONOMIC”

- For a public agency or nonprofit organization:
  - Any condition that makes it impossible to proceed in building or operating a project.
- For a Limited Dividend Organization:
  - Any condition that makes it impossible to proceed “and still realize a reasonable return within the limits set by the Subsidizing Agency.”
- See 760 CMR 56.02.

# WAIVERS FROM LOCAL REQUIREMENTS AND REGULATIONS

- When evaluating waiver requests, the Board will be working with bylaws and regulations typically within the jurisdiction of other “local boards.”
- The Board may invite the participation and comment of those other “local boards.”
- See M.G.L. c.40B, §21:
  - “The board shall request the appearance at said hearing of such representatives of said local boards as are deemed necessary or helpful in making its decision upon such application...[and] in making its decision on said application, shall take into consideration the recommendations of the local boards”).

## KEY ISSUES TO ADDRESS DURING PUBLIC HEARING

- Is the Project consistent with the Board's Comprehensive Permit Performance Standards?
- Have the comments of the other local boards, departments and officials been adequately addressed by the Applicant?
- Has peer review been completed to the Board's satisfaction?
- What conditions should be imposed in the Decision?

# BOARD VOTE

- Pursuant to M.G.L. c. 40B § 21, a simple majority vote of the board will suffice for a decision.
- The Board must vote and file its written decision with the Town Clerk within forty days after the close of the public hearing.
- In approving application, board may impose conditions with respect to height, site plan, size or shape, or building materials as are consistent with the terms of § 21.

# COMPREHENSIVE PERMIT DECISION

- Pursuant to Section 3.01 (h) of the Board's Comprehensive Permit Rules, the decision to issue a waiver must be specifically addressed in the written decision.
- Section 7.05 of the Board's Comprehensive Permit Rules contains a list of standard conditions that should always be included in the written decision.

# APPEAL OF DECISION

- The Applicant may appeal a decision directly to the HAC within 20 days after date of the notice of the decision by the board of appeals.
  - 760 CMR 56.06(g).
- Other aggrieved parties may appeal a denial to Land Court or Superior Court within 20 days after the decision has been filed with the Town Clerk.

## ON APPEAL TO HAC: DENIAL OF A COMPREHENSIVE PERMIT

- If an applicant appeals a denial of a comprehensive permit, it must first prove to HAC “that its proposal complies with federal or state statutes or regulations, or with generally recognized standards as to matters of health, safety, the environment, design, open space, or other matters of Local Concern.”

## ON APPEAL TO HAC: CONDITIONAL APPROVAL OF A COMPREHENSIVE PERMIT

- If an applicant appeals a conditional approval of a comprehensive permit, it must first prove to HAC that the challenged conditions “make the building or operation of the Project Uneconomic.”

## ON APPEAL TO HAC: LOCAL CONCERN VS. HOUSING NEED

- After the applicant has made either initial showing, it falls to the Town to demonstrate:
  - (1) that there is “a valid health, safety, environmental, design, open space, or other Local Concern” which supports the denial or condition(s); and
  - (2) that such Local Concern outweighs the Housing Need.
- BUT proof that a municipality has failed to satisfy one of the statutory minima in 760 CMR 56.03(1) creates a rebuttable presumption that “there is a substantial Housing Need which outweighs Local Concerns.” 760 CMR 56.07(3)(emphasis added).

# ON APPEAL TO HAC

- The Housing Appeals Committee (HAC) almost invariably **rejects boards of appeals' use of well-worn planning arguments** to deny or approve comprehensive permits with conditions.
  - Examples: school crowding, traffic, sewers, environmental degradation, density, open space.
- Burden of proof: balance regional needs with local housing concerns.
  - **Local concern:** “means the need to protect the health or safety of the occupants of a proposed Project or of the residents of the municipality, to protect the natural environment, to promote better site and building design in relation to the surroundings and municipal and regional planning, or to preserve Open Spaces.” 760 CMR 56.02.
- See O.I.B. Corp. v. Braintree Bd. of Appeals, Housing Appeals Comm. Dec. (March 27, 2006) (holding concern for emergency access to development outweighs regional need for affordable housing).
- See Wilson Street Trust v. Norwood Bd. of Appeals, Housing Appeals Comm. Dec. (Feb. 13, 1974) (holding increased traffic not local concern unless existing traffic is sufficiently near or past critical point so that additional traffic load raises traffic impact beyond safety point).

# CHANGES AFTER ISSUANCE OF COMPREHENSIVE PERMIT

- If the Applicant proposes changes after issuance of a comprehensive permit, the Board must determine whether the changes are substantial.
- For any changes deemed to be substantial, the Board will conduct a new public hearing on the changes to the project.

# AFFORDABLE UNITS AUTHORIZED BY COMPREHENSIVE PERMIT

- The affordable units in an ownership project and all units in a rental project are counted on the Town's SHI upon filing of the comprehensive permit with the Town Clerk, and will remain on the SHI provided:
  - The Applicant obtains building permits within 12 months;  
and
  - The Applicant obtains certificates of occupancy within 18 months after issuance of the building permits.

**QUESTIONS?**



**6. Approve OPEB Trust Legislation Modifications**

As you know, at Town Meeting this year an article was passed to amend our OPEB trust document to be more in line with changes to such documents as allowed by the Municipal Modernization Act. Since the spring, the Retirement Board, who was tasked with also being the OPEB Trust Committee has discussed the matter, and for several reasons there is concern about this role. We have discussed this with Town Counsel, we are recommending that responsibility for the day to day management of the fund be delegated to the Treasurer/Collector. A memo on this topic from Marc Waldman is included in your packet. Both Marc and Attorney Harrington will be at the meeting to review this with you.

The State is aware that we may make this change, and has agreed to hold off on any further action until we let them know what changes we would like to make.

**MOVE** to approve the revisions to the OPEB trust legislation as proposed.



# TOWN OF WELLESLEY

MARC V. WALDMAN  
Treasurer & Collector



Tel (781) 431-1019 Ext. 2266  
Fax (781) 237-5037

## OFFICE OF THE TREASURER/COLLECTOR

525 Washington Street  
Wellesley, MA 02482

September 15, 2017

To: Blythe Robinson, Executive Director

From: Marc Waldman, Treasurer

Subject: Possible Revisions to Wellesley's OPEB Special Act

Sheryl Strother, Lynn Whynot and myself have been working with the Retirement Board and Town Counsel to construct a trust document to support the special act that the Town has before the legislature (H3724). The purpose of the special act and the subsequent trust document was to properly establish a GASB recognized trust for the Town's OPEB funds and to appoint the Retirement Board as Trustees. These efforts to create an effective trust document and have proven difficult and Tom Harrington made the following recommendation to the Retirement Board:

“ We are recommending that the Special Act be amended to name the Treasurer as Trustee and to give a the CRB an investment advisory or oversight role. This recommendation is based on the following factors:

- Revisions that have been requested to the trust agreement shift most of the responsibility to the Treasurer and away from the CRB. While some delegation is fine, the Massachusetts Uniform Trust Code does not permit all of a trustee's fiduciary duties to be assigned or eliminated. As such, we feel that a trust agreement naming the CRB as the trustees but moving most of the responsibility to the Treasurer may be misleading as to the scope of responsibility statutorily assigned to the trustees.
- CRB members have expressed concerns about liability as trustees. Their potential liability could be significantly reduced and better managed if they are not the trustees, but have a clearly defined role with respect to providing investment advice.
- The insurance quotes we have received to insure the CRB as trustees are not satisfactory. We expect that the Town will be able to obtain a better deal if the Treasurer is named as trustee. G.L. c. 32B, § 20, permits the Treasurer to be named trustee of the OPEB trust, so this is nothing new to the legislature.”

Overall, we think that this structure would more accurately reflect the manner in which the OPEB trust is currently operated and would best resolve the liability issues raised by the CRB.”

The Retirement Board has agreed with Town Counsel's recommendation and requested that I ask the legislature to suspend action on the Special Act. Through Alice Peisch's office, I requested that our bill be placed on hold until the Board of Selectmen had a chance to review these issues. Alli Goldberg from Rep. Peisch's office has responded that the Legislature's Committee on Third Reading may agree to an amendment to the Special Act language if the Selectmen want to make such a recommendation. Based on these actions and recommendations, I, along with Tom Harrington's office, have drafted the following revised (see tracked changes in red) Special Act language for the Selectmen's consideration:

AN ACT RELATIVE TO THE OTHER POST EMPLOYMENT BENEFITS TRUST FUND OF THE  
TOWN OF WELLESLEY

**SECTION 1.** Chapter 88 of the Acts of 2004 is hereby amended by striking out sections 1, 2 and 3, and inserting in place thereof the following three sections:-

**SECTION 1.** As used in this act, the following words shall have the following meanings:-

"Other Post-employment Benefits" or "OPEB", post-employment benefits other than pensions as that term is defined in statements 43 and 45 of the Governmental Accounting Standards Board, including post-employment healthcare benefits, regardless of the type of plan that provides them, and all post-employment benefits provided separately from a pension plan, excluding benefits defined as termination offers and benefits.

"Normal cost of other post-employment benefits", that portion of the actuarial present value of future premium costs and claim costs payable by the town on behalf of, or direct payments to, retired employees, including school teachers, of the town and the eligible surviving spouses or dependents of deceased employees, including school teachers, of the town, pursuant to this act which is allocable to a particular fiscal year, as determined by an actuary pursuant to section 2.

"OPEB liability", the present value of the town's obligation for future premium costs and claim costs payable by the town on behalf of, or direct payments to, retired and prospective retired employees of the town and the eligible surviving spouses or dependents of deceased and prospectively deceased employees of the town attributed by the terms of the plan to employee's service rendered to the date of the measurement, pursuant to this act as determined by an actuary, pursuant to section 2.

"Premium costs and claim costs", the amounts payable by the town for the provision of retiree health and life insurance.

"Unfunded OPEB liability", the difference between the OPEB liability on the measurement date and the actuarial value of the assets of the OPEB Trust Fund on the same date, as determined by an actuary, pursuant to section 2.

"Unfunded OPEB liability amortization payments", the amount which, when paid into the OPEB Trust Fund annually over a period of years together with the normal cost of other post-employment benefits for each year of said period of years, will reduce to zero at the end of said

period the unfunded OPEB liability in existence as of the beginning of said period, as determined by an actuary.

SECTION 2. (a) There shall be in the town of Wellesley an OPEB Trust Fund, which shall be under the supervision and management of a ~~board of trustees consisting of the town's contributory retirement board established under paragraph (b) of subdivision (4) of section 20 of chapter 32 of the General Laws~~ who shall be the ~~tTown of Wellesley tTreasurer/Collector~~. The town ~~treasurer~~ ~~Treasurer/Collector~~ shall also be the custodian of the fund and may employ an outside custodial service. The fund shall be an expendable trust. All monies held in the fund shall be accounted for separately from other funds of the town and shall not be subject to the claims of any general creditor of the town.

(b) The duties and obligations of the ~~board of trustees~~ with respect to the fund shall be set forth in a declaration of trust to be created by the town's contributory retirement board established under paragraph (b) of subdivision (4) of section 20 of chapter 32 of the General Laws and adopted by the ~~trustee board of trustees town's contributory retirement board established under paragraph (b) of subdivision (4) of section 20 of chapter 32 of the General Laws~~, but shall not be inconsistent with this section. The declaration of trust and any amendments thereto shall be filed with the board of selectmen and town clerk and take effect 90 days after the date filed, unless town meeting votes to disapprove the declaration or amendment within that period.

(c) The fund shall be credited with all amounts appropriated or otherwise made available by the town for the purposes of meeting the current and future premium costs and claim costs payable by the town on behalf of, or direct payments to, retired employees of the town and the eligible surviving spouses or dependents of deceased employees of the town pursuant to this act and all amounts currently held by the town's contributory retirement board for such purposes. Amounts in the fund including any earnings or interest accruing from the investment of such amounts shall be expended only for the payment of such premium costs and claim costs payable by the town on behalf of, or direct payments to, retired employees of the town and the eligible surviving spouses or dependents of deceased employees of the town, except as otherwise provided in this act, and only in accordance with a schedule of such payments developed by an actuary in consultation with the town's contributory retirement board. Subject in each instance to the approval of the town's contributory retirement board, the town treasurer shall invest and reinvest the amounts in the fund not needed for current disbursement consistent in accordance with (i) the prudent investor rule established in chapter 203C; (ii) section 23 of chapter 32; or (iii) sections 24 and 24A of chapter 32A, if the OPEB Trust Fund is invested in the State Retiree Benefits Trust Fund; provided, however, that no funds may be invested directly in mortgages or in collateral loans. The fund shall be subject to the public employee retirement administration commission's triennial audit.

(d) The ~~board trustee~~ may employ any qualified bank, trust company, corporation, firm or person to advise it on the investment of the funds and may pay from the fund for such advice and such other services as determined by the town's contributory retirement board.

SECTION 3. (a) An actuary shall determine, as of January 1, 2003, and no less frequently than every second year thereafter, the normal cost of other post-employment benefits, the OPEB liability, and the unfunded OPEB liability. All such determinations shall be made in accordance with generally accepted actuarial standards, and the actuary shall make a report of such determinations. The report shall, without limitation, detail the demographic and economic actuarial assumptions used in making such determinations, and each such report subsequent to the first such report shall also include an explanation of the changes, if any, in the demographic and economic actuarial assumptions employed and the reasons for any such changes, and shall also include a

comparison of the actual expenses by the town for premium costs and claim costs constituting the OPEB liability during the period since the last such determination, and the amount of such expenditures which were predicted pursuant to the previous such report for the period.

(b) An actuary, in consultation with the town's contributory retirement board, shall establish a schedule of annual payments to be made to the OPEB Trust Fund designed to reduce to zero the unfunded OPEB liability. The schedule shall reduce the initial unfunded OPEB liability over a period of years not to exceed 30. Any additional unfunded liability created subsequent to the last such determination by the provision of any new benefit or by any increase in the premium share payable by the town shall be separately so amortized over the 15 years following the date of the determination in which such additional liability is first recognized. Each such annual payment shall be equal to the sum of the unfunded OPEB liability amortization payment required for such year and the payments required to meet the normal cost of other post-employment benefits for such fiscal year.

(c) All payments for the purposes of meeting the town's share of premium costs and claim costs or direct payments to retired employees of the town and the surviving spouses or dependents of deceased employees of the town pursuant to this act shall be made from the OPEB Trust Fund in accordance with a schedule of disbursements established by the actuary.

**SECTION 2.** This act shall take effect upon its passage.

**7. Approval to Retain Special Counsel - Health Insurance Negotiations**

As you know, it is within the purview of the Board to select Town Counsel. The Board makes this appointment annually, and at present it is Miyares & Harrington for general legal work, and Morgan, Brown & Joy for employment related matters. However, there are times when special counsel is needed if an issue arises for which regular counsel is not best able to handle. We believe this case exists in the area of negotiating new health insurance plans for our employees.

In past negotiations, the Town has retained Attorney Kevin Feeley of Feeley & Brown, P.C. for this purpose, and we recommend doing so again. Attorney Feeley is preeminent in the field of public sector health insurance and employee benefits, and has represented a number of municipal clients on this topic. A copy of his firm's biography and proposed engagement letter is included in your packet for review. Both Marc Waldman and Scott Szczebak will be in attendance on this topic and prepared to answer questions you may have.

**MOVE** to authorize the engagement of Attorney Kevin Feeley as Special Counsel to represent the Town in health insurance negotiations.



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**FEELEY & BROWN, P.C.**

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*Attorneys at Law*

September 13, 2017

Blythe C. Robinson  
Executive Director- General Government  
Town of Wellesley  
525 Washington Street  
Wellesley, MA 02482

Re: Engagement of Special Counsel.

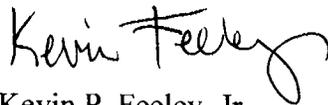
Dear Ms. Robinson,

Please accept this letter as our request for consideration for appointment as Special Counsel to assist the Town of Wellesley in upcoming health benefit discussions with its employee groups.

At various times over the past several years, it has been my pleasure to assist the Town in similar endeavors. Our billing rate is \$170 per hour and we bill in quarter hour increments.

If you or the Board would like any additional information about our firm please feel free to contact me at your convenience at the telephone number below or at [kf@feeleybrownlaw.com](mailto:kf@feeleybrownlaw.com).

Thank you,



Kevin P. Feeley, Jr.



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# FEELEY & BROWN, P.C.

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*Attorneys at Law*

Feeley & Brown, P.C., provides a broad range of municipal/town counsel and employment-related legal services on behalf of both public and private employers throughout the Commonwealth. Our practice includes labor relations, fair employment practices and individual employee relations matters. We focus on problem-solving and counseling our clients in an effort to avoid protracted and expensive legal disputes. In the event that litigation and grievances cannot be avoided, we have decades of experience representing clients before judges, arbitrators and administrative agencies.

Our firm consists of three experienced attorneys devoted to the practice of labor and employment law. Our philosophy is straightforward and simple: to provide a limited clientele with superior service at an affordable price. We provide sound, cutting-edge legal advice. We endeavor to offer practical solutions to complex problems to help our clients achieve their goals.

***Kevin P. Feeley, Jr.***

Kevin has twenty-five years of experience representing municipal employers in all aspects of labor and employment law, as well as general municipal law. He has negotiated many collective bargaining agreements and handled cases before arbitrators, the Department of Labor Relations, the Civil Service Commission, and state and federal courts. Kevin has a specialized expertise in public-sector health insurance issues. In that area, he has worked extensively with municipalities and school committees to plan and implement cost-saving changes to employee health insurance coverage. He is a frequent speaker before the Massachusetts Municipal Association, the Massachusetts Collectors and Treasurers Association, and other groups. While Kevin's practice focuses on labor and employment law, he also serves as special counsel to municipalities on a variety of issues and is Town Counsel for the Towns of East Bridgewater and Tewksbury.

Kevin earned his BA degree from Boston College and his law degree from Suffolk University Law School.

***Daniel C. Brown***

Dan has fifteen years of experience representing municipal employers and school committees in all aspects of labor, employment, and education law. He has negotiated numerous collective bargaining agreements on behalf of public-sector management. He has successfully represented public employers before arbitrators, the Civil Service Commission, the Department of Labor Relations, and state and federal courts. Dan authored the management commentary for the Landlaw Civil Service Reporter for almost ten years. Dan has spoken to large groups of public managers and officials on various topics, including discipline of school personnel, Civil Service, FMLA, HIPAA, and military leave for public employees.

Dan earned his BA degree from Worcester State College, summa cum laude, and his law degree from Suffolk University Law School.

***Laurie W. Engdahl***, Of Counsel

Laurie has twenty-five years of experience representing municipal employers and school committees in all aspects of labor, employment, and education law. She has represented clients before the Department of Labor Relations, the Civil Service Commission, and state and federal courts. Laurie has developed and led training programs on various topics for employers and municipal associations, including harassment and discrimination prevention, and FMLA guidance. She has a specialized expertise in conducting workplace investigations into alleged harassment and other misconduct by employees.

Laurie earned her BA degree from the University of Connecticut, magna cum laude, and her law degree from the University of Michigan Law School.

## **8. New Business & Correspondence**

Other Documents: The Board will find documents the staff is not seeking action on, but is for informational purposes only. Please find the following:

- ❖ Veterans Service District August, 2017 Report
- ❖ Budget Manual Feedback:
  - Board of Library Trustees
  - DPW – Email from Beth Sullivan Woods
  - NRC – Email from Jack Morgan
- ❖ Petitions to the State Supervisor of Records regarding Mr. Ron Alexander (2)
- ❖ Board/Committee Liaison Assignments – FY18 updated
- ❖ Email from Anne Marie Cronin – 6 Juniper Road
- ❖ FY18 Work plan – September, 2017
- ❖ Draft 16 Stearns Comments to Masshousing
- ❖ 135 Great Plain Avenue Plans
- ❖ 25 Shaw Road Update



Report Date: 8-01-2017 through 8-31-2017

**ENGAGE**

- 
- All 4 towns will be working with the Veterans Dept to host Movie Dates 1 day a week for the entire month of November. Times of movie will differ each week to try and access different Veterans and their families.

**SERVE**

- Monthly articles will now be sent to all COA's to publish in their Newsletters as a "Veterans Corner". Information will come out of the "What Every Veteran Should Know"

**CHALLENGES, CHANGES & OTHER**

**METRICS WELLESLEY**

Priority	Metric & Target	This Month	Δ	Last Year
Engagements	Total Constituent Contacts	12	-	N/A
	# Active Cases	2	-	N/A
	\$ Financial assistance provided (FY to Date)	\$ 1897.50	-	N/A
	# New Applications	0	-	N/A
VA Assistance & Misc	Health Care Enrollment VA Pensions / Compensation / A&A (open cases) Housing Assistance (Assisted Living, Hospice, ETC)			

**METRICS NEEDHAM**

Priority	Metric & Target	This Month	Δ	Last Year
Engagements	Total Constituent Contacts	18	-	N/A
	# Active Cases	4	-	N/A
	\$ Financial assistance provided (FY to Date)	\$ 3,057.96	-	N/A
	# New Applications	0	-	N/A
VA Assistance & Misc	Health Care Enrollment VA Pensions / Compensation / A&A (open cases) Housing Assistance (Assisted Living, Hospice, ETC)	1		

**METRICS WAYLAND**

Priority	Metric & Target	This Month	Δ	Last Year
Engagements	Total Constituent Contacts	6	-	N/A
	# Active Cases	1	-	N/A
	\$ Financial assistance provided (FY to Date)	\$ 852.40	-	N/A
	# New Applications	0	-	N/A
VA Assistance & Misc	Health Care Enrollment VA Pensions / Compensation / A&A (open cases) Housing Assistance (Assisted Living, Hospice, ETC)	1		

### METRICS WESTON

Priority	Metric & Target	This Month	Δ	Last Year
Engagements	Total Constituent Contacts	2	-	N/A
	# Active Cases	0	-	N/A
	\$ Financial assistance provided (FY to Date)	\$	-	N/A
	# New Applications	0	-	N/A
VA Assistance & Misc	Health Care Enrollment VA Pensions / Compensation / A&A (open cases) Housing Assistance (Assisted Living, Hospice, ETC)			

### UPCOMING EVENTS & ANNOUNCEMENTS

Oct 12 <sup>th</sup> 2017	All male Veterans Panel at Wellesley Library to discuss their time in service and adjustment to civilian life. 1830-2100
Oct 19 <sup>th</sup> 2017	All female Veterans Panel at Wellesley Library to discuss their time in service and adjustment to civilian life. 1830-2100
Oct 21 <sup>st</sup> 2017	2 <sup>nd</sup> Annual Veterans Fair in Needham Town Hall in conjunction with the Spooky Walk.
Oct 23 <sup>rd</sup> -26 <sup>th</sup>	Annual Veterans TRNG Conference in Leominster, MA
Nov 8 <sup>th</sup>	Tenacre Elementary will be hosting a musical performance for Veterans plus writing letters to Veterans in Wellesley to Thank them for their Service. 1000-1200

Nov 9 <sup>th</sup> 2017	St. Joseph's in Needham has asked that myself and another Veteran come speak to the kids about the military. Grades 1-5. The students will be writing letters to Veterans in the town of Needham to say Thank You for their service. The Veteran that will be speaking with me is a Needham resident and Needham Police Officer as well as a Post 9/11 Army Vet who also graduated St Joseph's. (How Perfect ☺ )
Nov 10 <sup>th</sup> 2017	Pinning Ceremony for Veterans at Avery Manor in Needham.
Nov 2 <sup>nd</sup> , 9 <sup>th</sup> , 16 <sup>th</sup>	Veterans Movie at Needham Center at the Heights.
Nov 1 <sup>st</sup> , 8 <sup>th</sup> , 15 <sup>th</sup> , 29 <sup>th</sup>	Veterans Movie Weston Council on Aging
Nov 8 <sup>th</sup> , 14 <sup>th</sup> , 21 <sup>st</sup> , 28 <sup>th</sup>	Veterans Movie Wayland Town Hall





September 13, 2017

To: Ellen Gibbs, Chair  
Board of Selectmen  
From: WFL Board of Trustees  
Re: Draft FY19 Budget Preparation Manual

On Monday, September 11<sup>th</sup>, the Library Trustees reviewed the draft version of the FY19 Budget Preparation Manual circulated on your behalf by Blythe Robinson, Executive Director. The Trustees would like to thank the Selectmen and their staff for undertaking this valuable project. Having a document that is used by all boards that outlines the budget approach, format and timeline will make the annual budget process run more smoothly and promote understanding and collaboration among the boards. We recognize that pulling a document like this together is not an easy task. This draft manual serves as a useful starting point for a substantive town-wide discussion which should incorporate feedback from all boards and town departments. We strongly urge the Board of Selectmen to organize a “budget summit,” with representatives from all the elected boards (i.e. boards with budget accountability), to discuss the budget process and the preparation manual in detail.

The following points highlight the questions/concerns that were raised during our discussion:

- It is important that the process and procedures outlined in the budget manual respect the independence and legal authority of elected boards over their departments and budgets. Roles and responsibilities of these boards should be clearly defined in the budget manual. A clearer definition of the roles of the Selectmen and their staff as well as the Advisory Committee would be particularly helpful. For example, the role of the Finance Director would impinge on the boards’ authority if that role is intended to go beyond review of the budget for “format, completeness and accuracy.” We, as Trustees, have a fiduciary responsibility to work with our Director to develop and approve a budget that we then present to the Advisory Committee for its review and comment. We view this presentation as a critical part of the creation of our budget, not as the end-point. Our work directly with Advisory is an essential part of the budget process and is not well served by having that Committee preview our budget through the lens of the Finance Department. We do not consider our budget finalized until we have responded to feedback from Advisory.

- The effort to develop a complete budget manual for immediate use in FY19 is quite aggressive. This document should be vetted and accepted in a collaborative process among all the boards/departments in town that will be subject to its use. While the manual codifies some processes that are currently in place, it introduces additional processes and a new timeline that warrant more detailed discussions.
- The timeline included in the manual is quite challenging. Artificial deadlines that may help the Finance Department aggregate numbers earlier are being set at the expense of the actual (iterative) budget preparation time that boards require. For example, budget transparency requires that residents be allowed to comment on the WFL budget in public sessions, helping the Trustees and Library Director refine the budget. Some discussion about the trade-offs between Town Hall needs and the ability to generate a transparent, accurate and thoughtful budget would be helpful in leading to a calendar that works for all.

The Trustees also had a number of concerns/comments on specific portions of the draft budget manual, including:

- The process for setting guidelines is unclear. Because of state mandates for spending on materials and technology required to keep our library functioning, expenses in our budget are as constrained as, and tied to, personal services. Therefore, it is not fiscally prudent, or possible, to maintain the library with a budget that is considered two separate parts, with different guideline targets.
- We continue to have concerns about the public disclosure of information during active union negotiations. While we understand the need to include contract costs in our budget, the size of the WFL budget makes any inclusion of potential dollars for an unsettled contract a very public statement as to what the intention for a settlement would be. Any initial budget including this estimate which is discussed in a public meeting (Trustee, Advisory, or BOS, for example) calls attention to the projected settlement amount which could be harmful to contract negotiations. Stating that union contracts will mirror Series 40 annual increases also seems to unnecessarily complicate negotiating strategy.
- The section on budgeting for IT equipment is unclear as to how it pertains to the WFL. We have two computers connected to the Town's network so having the IT Department purchase replacements for those computers is reasonable. However, the WFL has always maintained its own IT Department, which is critical to handling the challenging and specific IT needs of the library. As with the School Department, the Library's non-town networked IT equipment, and related software, should remain under Library management and part of the WFL budget.

- There is no mention of the inclusion of part-time (non-union) workers in the budget, which are a large portion of the WFL's workforce.
- The narrative details outlined in the draft Budget Preparation Manual are extensive and the information requested should be reviewed for its overall value to the process and the time required to create it. Staff time working on this narrative is staff time taken away from focus on service to residents. Presentations to Advisory, the Advisory write-up and the Town Meeting budget presentation always include much of what is being requested.
- The Director and Trustees are always prepared to discuss the rationale behind any budget details, particularly if our budget is over guideline. We do not consider this a "sales pitch" but rather an effort to make a cogent argument as to the necessity of what we are requesting.
- The capital budget process does need attention and it is heartening to see that the term "work with" is used in conjunction with boards and the Executive Director and Finance Department in this context. This is the type of collaboration that the Trustees support.

The Trustees appreciate the opportunity to share our thoughts and concerns with the Selectmen and look forward to a cross-board "budget summit" to discuss the budget draft further. Please let us know when such a meeting can be scheduled. As mentioned previously, we stress the importance of bringing the elected, independent boards together to work collaboratively on refining this budget manual and make it a document that works for all and that all can support.



## Robinson, Blythe

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**From:** Beth Sullivan Woods  
**Sent:** Wednesday, September 13, 2017 7:14 PM  
**To:** Jack Morgan; Ellen Gibbs; Marjorie Freiman; Thomas Ulfelder  
**Cc:** Robinson, Blythe; Jop, Meghan  
**Subject:** BPW feedback update

I wanted to let everybody know that the Board of Public Works met last evening. They discussed their feedback to the budget manual and timeline for a short period as part of the agenda.

It is their intention to issue a memo summarizing their overall reactions, including areas where they are requesting additional discussion.

I let them know that Jack and I are looking forward to meeting with their designated representative, after we review the memo. I also let them know that we are expecting feedback from the other boards over the next week and a half or so. As a preview, feedback fell into approximately five categories (listed in no particular order):

1. They applaud the initiative of having a budget manual and were complementary about the work that went into creating the draft.
2. Both the capital and operating budget timelines seem far too aggressive
3. The concept of having different guidelines for different boards and departments is one that they believe needs to have much more explanation in terms of rationale for how the decisions will be made and how the decisions may be appealed. It is worth noting that they did not object to the concept in principle but believe it needs much more vetting and definition.
4. They were uncertain of our intention with respect to budgeting for replacement positions, particularly given that a significant amount of hiring is happening above the midpoint and potentially above the bottom step.
5. The intent around the new policy of centralizing technology purchases is not clear. In particular, the rationale for centralizing purchase of hardware and not software was confusing/ not well understood.
6. There was some discussion about whether portions of the budget manual were intended for Board of Selectmen departments.

David Donahue was not able to attend the meeting last evening.

I will forward the memo from the BPW as soon as I receive it, which I expect will be within the next few days. If anyone has any questions in the meantime, please let me know.

Separately, I am anticipating formal feedback from Rec and Health next week or early the following week.

Beth  
617.320.7344

## **Robinson, Blythe**

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**From:** Jack Morgan  
**Sent:** Friday, September 08, 2017 6:01 PM  
**To:** Robinson, Blythe; Strother, Sheryl  
**Cc:** Ellen Gibbs  
**Subject:** Budget Preparation Manual discussion with NRC

Blythe and Sheryl,

I met this more with Brandon Schmidt and Raina McManus (as you may know there as been a death in Lise Olney's family and she will be out of pocket for a while)

They were quite supportive of both the initiative to formalize the process and the draft document. Other than some clarification of what we meant be Draft Warrant Articles (I explained that at least at the early date it is more a list of potential articles than draft language) they didn't have a problem with anything and felt the time lines were achievable.

Recognizing that they are a small fish with no history of operating budget issues they also didn't have any particular perspectives about the post submission processes of how to balance the budget.

We spent most of our time talking about capital project forecasting / smoothing. They are frustrated by the variable and unknowable gaps between funding of a project by Town Meeting and when work is actually begun by the DPW. They pushed back about what the point was of working to create a multi-year pattern of capital appropriations if actual work and spending would proceed differently, with little visibility or control by the proposing board / department. I had instant empathy from my old Advisory Committee and CPC experiences.

Jack

Jack Morgan  
*Board of Selectmen*  
617.775.4852

***Please use this [jmorgan@wellesleyma.gov](mailto:jmorgan@wellesleyma.gov) address for communicating with me on Board of Selectmen related items***

**WELLESLEY PUBLIC SCHOOLS**  
40 Kingsbury Street • Wellesley • Massachusetts 02481  
781-446-6210

**Dr. DAVID F. LUSSIER**  
Superintendent of Schools

**Dr. JOAN DABROWSKI**  
Assistant Superintendent, Teaching and Learning

**LORI V. CIMENO**, Director of Student Services



**JUDITH M. BELLIVEAU**  
Assistant Superintendent, Finance and Operations

**KATHLEEN F. DOOLEY**, Director of Technology

September 13, 2017

**VIA EMAIL TO: [pre@sec.state.ma.us](mailto:pre@sec.state.ma.us)**  
Rebecca S. Murray  
Supervisor of Records  
One Ashburton Place  
Room 1719  
Boston, MA 02108

*Re: Petition Pursuant to M.G.L. c.66, §10(c), and 950 CMR 32.06(4)*

Dear Supervisor Murray,

The Town of Wellesley is writing to request: (1) a determination pursuant to 950 CMR 32.06(4)(f) that a certain request submitted to the Town of Wellesley School Department (the "Department") is frivolous and that such request is not intended for the broad dissemination of information to the public about actual or alleged government activity; and (2) to be relieved of the obligation to respond to such request. Specifically, the Town seeks this determination in regards to a request filed by Ronald Alexander on September 6, 2017.

The Town and the Department have repeatedly documented for the Supervisor the manner in which Mr. Alexander has inappropriately used the *Public Records Law* to harass and intimidate Town employees. With his most recent requests, Mr. Alexander, has established a pattern of requesting his own requests. Requiring the Town to continue responding to these requests would be a farcical absurdity as Mr. Alexander first generated the subject records and is now finding new ways to continue requesting the same documents over and over again.

The Department is now requesting a determination that Mr. Alexander's September 6 request is frivolous as Mr. Alexander created the responsive documents and has already obtained the same documents from the Town and the Department through his prior requests. Moreover, no public interest is served by the requiring the Town or the

On August 29, 2017, Mr. Alexander submitted a request seeking all documents and correspondence relating to work performed by Attorney Eric B. Reustle on the Town's February 23, 2017, fee petition (the "February Petition"). The February Petition, as you are already aware, was based on the large volume of requests received from Mr. Alexander and the manner in which those requests were broken down so as to avoid paying fees allowed under the *Public Records Law* for search, segregation and redaction of documents. Given the subject matter of the February Petition and the nature of the documents requested, all responsive documents fall into three categories: the voluminous requests from Mr. Alexander, which he already has in his possession and most of which the Town nevertheless made available to him previously on December 27, 2017; documents not created by Mr. Alexander, but which he had previously requested and obtained from the Tow; and attorney-client communications.

As Mr. Alexander is extremely familiar with the *Public Records Law*, it is only reasonable to assume that knows he is not entitled to obtain documents covered by the attorney-client privilege. As such, Mr. Alexander's request dated August 29, 2017, amounts to nothing more than another request for copies of his own requests. Nevertheless, the Town is providing Mr. Alexander with the copies of his own requests in response to the August 29 request. A copy of the Town's response to the August 29 request is attached.

## II. PETITION

On September 6, 2017, Mr. Alexander filed a third request for his requests. Mr. Alexander's September 6 request references a statement made at a School Committee meeting to the effect that "160 of 190 public records requests [received by the School] since 2013 are also from the same individual." His request is for "[t]he '190 requests since 2013.'" Although Mr. Alexander was not identified by the School Committee, the Town has documented for the Supervisor on multiple occasions that Mr. Alexander is the source of most of the public records requests received by the Town. The numbers referenced in the School Committee's meeting are rough numbers, particularly in light of the fact that Mr. Alexander continues to file new requests on a regular basis. Nevertheless, it is clear on the face of this request that:

(1) between 80 to 90 per cent of the requested documents were created by Mr. Alexander and that those include hundreds of pages of documents that Mr. Alexander has previously requested and obtained from the Town; and,

(2) of the small number of documents that were not created by Mr. Alexander, he was previously provided access to those documents.

In sum, Mr. Alexander has, by himself, generated an enormous volume of public records by creating and submitting an unprecedented number of requests to the Town. Mr. Alexander has now, on multiple occasions, submitted requests for the voluminous documents that he has created and sent to the Town. Those documents were made

Department to continue providing duplicative copies of the same documents to the same requester at significant expense to the Town's taxpayers.

## **I. BACKGROUND**

### **A. Pattern of Harassment**

Since 2013, Mr. Alexander has submitted a significant number of public records requests to the Town. The majority of those requests have been submitted to the School Department and School Committee, but Mr. Alexander also regularly submits requests to the Board of Selectmen and the Police Department. On April 24, 2017, the Town submitted a harassment petition to you (the "April Petition") explaining that:

Mr. Alexander has submitted approximately one hundred and sixty two (162) requests to the School Department and School Committee, approximately seventy one (71) of which have been filed since August of 2016. Mr. Alexander has also submitted approximately forty (40) requests to the Board of Selectmen, or employees under its supervision since August of 2016, and approximately seven (7) requests to the Police Department since December of 2016. Accordingly, Mr. Alexander's total number of public records requests now exceeds two hundred (200).

The Town extensively documented the harassment of its employees in the April Petition and incorporates the entire description provided therein by reference.

### **B. Requests for the Requester's Requests**

As described above and in the April Petition, Mr. Alexander has filed hundreds of public records requests with the Town. Mr. Alexander has in fact filed more than six times as many records requests with the Department than all other requesters combined and has done so in a manner that appears calculated, at best, to make busy-work for Town employees, wasting the Town's resources, but often to harass and intimidate employees. Mr. Alexander has not only continued his campaign of filing requests in a manner designed to target and harass specific employees, but has now begun engaging in creative ways to submit redundant requests for documents that he created and that he has previously requested and obtained from the Town.

On December 20, 2016, Mr. Alexander submitted a request to the Department seeking "to Inspect All Public Records Requests, Responses, and Related Communications from 2006 to Present." The Department made such documents available as requested on December 27, 2016. The vast majority of the documents responsive to Mr. Alexander's request were the requests that he had created and electronically submitted to the Town. Mr. Alexander was already in possession of those documents, but the Town made them available to him in accordance with the *Public Records Law*.

available to Mr. Alexander on December 27, 2016, and copies of many of his requests were provided to him in response to his request dated August 29, 2017.

The Department does not dispute that Mr. Alexander's prior requests are public records that requesters are entitled to obtain from the Department. It is the Department's position, however, that Mr. Alexander is abusing the *Public Records Law* by repeatedly requesting large collections of documents he has previously obtained from the Town and that he created in the first place.

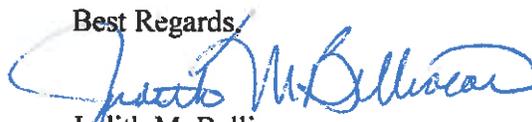
It is also obvious that the documents are not related to governmental activity, as the documents are merely records of Mr. Alexander's activities, and that Mr. Alexander does not need copies for public dissemination as he has already been provided access to these documents despite the fact that he generated almost all of the responsive documents. As such, the September 6 request is merely an exercise in forcing the Town to make more copies of documents that Mr. Alexander created and has already obtained from the Town. The request does not have any serious purpose or value and is the very definition of a "frivolous" request.

### CONCLUSION

In sum, Mr. Alexander has adopted a highly adversarial position towards the Town. The Town has attempted, and continues to attempt, to respond to Mr. Alexander in accordance with its obligations under the *Public Records Law* and Regulations. As described above, however, Mr. Alexander has now repeatedly requested copies of his own requests, even after the Town and Department provided such documents to him.

At the very best, these requests are frivolous. As such, the Town respectfully requests that it be relieved of responding to his September 6 request identified above.

Best Regards,



Judith M. Belliveau  
Assistant Superintendent



Meghan Jop  
Assistant Executive Director

cc: R. Alexander (via email)  
B. Robinson (via email)  
T. Harrington (via email)

## Henderson, Heidi

---

**From:** Anne Marie Cronin <annemariecronin@gmail.com>  
**Sent:** Wednesday, September 13, 2017 10:33 AM  
**To:** DL: Board of Selectmen  
**Cc:** Grant, Michael; Mahoney, Lenore  
**Subject:** Unoccupied Owner Homes - 6 Juniper Road

Dear Selectmen,

I read with interest the recent article in The Swellesley Report regarding the Airbnb party on Shaw Road.

We also have an unoccupied owner home in our neighborhood. 6 Juniper Road was sold in April /May 2017 to someone with a son at Babson. The owner of the home does not live there. However the son and 4 or 5 other Babson students do.

I called and spoke with Michael Grant of the Building Department regarding ongoing construction work at the home without a permit. He informed me that he left his card with the contractor for the homeowner to call him. I do not know if he has been in touch with the homeowner.

There is a bylaw in Wellesley restricting occupancy to no more than 3 unrelated people that is enforceable by the Zoning Board of Appeals. I have been in contact with that department as well and was informed that basically the bylaw is unenforceable because the occupants of the home can say they are all cousins and "there isn't a court in America that will let me get a blood test to determine if that is true."

This home has completely changed the culture of my small 4 house street. Uber drivers come and go, food deliveries are a daily occurrence as well as cars pulling into the driveway at 10:30 pm at night and beeping to pick up people and then returning 1:30/2:00 am.

I didn't move to Wellesley to raise my middle schoolers with a boarding house across the street. What laws/bylaws/restrictions can the town put in place to stop and also prevent this from happening?

Can someone please fix this. I do not know who else I can contact.

Thank you.

Kind regards,

Anne Marie Cronin  
5 Juniper Road  
Wellesley

---

Anne Marie Cronin  
(C) 617.645.3728



September 14, 2017

**BOARD OF SELECTMEN ~ FY18 LIAISON ASSIGNMENTS**

<b>Board/Committee</b>	<b>FY18 Liaison(s)</b>
Advisory	Ellen Gibbs, Jack Morgan
Board of Assessors	Tom Ulfelder
Board of Health	Beth Sullivan Woods
Board of Public Works	Beth Sullivan Woods
Business Community Liaison	Beth Sullivan Woods
Community Preservation Committee	Jack Morgan
Council on Aging	Tom Ulfelder
Fire & Police	Ellen Gibbs, Jack Morgan
Historical Commission	Marjorie Freiman
Housing Development Corporation & Housing Authority	Ellen Gibbs
Human Resources Board	Beth Sullivan Woods
Library Trustees	Tom Ulfelder
MAPC Representative	Ellen Gibbs Meghan Jop (alternate)
MBTA Advisory Board	Ellen Gibbs Meghan Jop (alternate)
Metrowest Regional Collaborative	Ellen Gibbs
Norfolk County Advisory Board	
Natural Resources Commission	Jack Morgan
Permanent Building Committee	Issue – Specific
Planning Board	Ellen Gibbs, Jack Morgan
Recreation & PFTF	Beth Sullivan Woods
Scholarship Foundation	As needed
School Committee	Ellen Gibbs, Jack Morgan
Sustainable Energy Committee & MLP	Tom Ulfelder
Wellesley Media Corporation	Tom Ulfelder
World of Wellesley	Beth Sullivan Woods
Youth Commission	Marjorie Freiman



Ronald Alexander  
P.O. Box 81003  
Wellesley, MA 02481  
[ron.alexander10@comcast.net](mailto:ron.alexander10@comcast.net)

Supervisor of Records  
Office of the Secretary of the Commonwealth  
McCormack Building, Room 1719  
One Ashburton Place  
Boston, MA 02108  
[pre@sec.state.ma.us](mailto:pre@sec.state.ma.us)

September 5, 2017

Subject: Appeal of Denial of Access to Public Records - Failure to Respond to Request for Public Records to Wellesley Police on August 17, 2017.

Dear Supervisor of Records,

This is an Appeal of Denial of Access to Public Records. Below is the chronology of the requests and responses related to this case:

1. On August 17, 2017, I sent a public records request to the Records Access Officer (RAO) for the Wellesley, MA Police Department (Department), requesting to inspect all documents, reports, and records in the possession of the Department that pertained to myself, Ronald Alexander. That request is attached as "2017-08-17\_Ronald-Alexander\_Documents-and-Reports\_request.pdf".
2. It is now September 5, 2017, and to date I have not received any response whatsoever from the RAO, WPD, or any of the other Wellesley, MA RAOs regarding this request. WPD and the RAOs are now two (2) business days past the statutory ten (10) business day limit for responding to a public records request.

I am appealing this non-response to your office based upon the following:

1. Massachusetts Public Records Law states that a Records Access Officer (RAO) must respond to a request for public records within ten (10) business days, so the WPD is in violation of Public Records Law.

I am therefore requesting that the Supervisor:

1. Find that the WPD is in violation of Public Records Law regarding this request.

2. Order the WPD and its RAO to provide me with the requested records immediately.

Please attend to this matter at your earliest convenience and take all steps necessary and appropriate to compel the WPD to disclose the requested records to me with no further delay. If you have need to contact me for additional information, you may reach me by phone at 617-651-1120 or by email at [ron.alexander10@comcast.net](mailto:ron.alexander10@comcast.net). Please send all written responses and other written correspondence to the address listed at the top of the letter.

Sincerely,

Ronald Alexander  
Wellesley, MA



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Public Records Division

Rebecca S. Murray  
*Supervisor of Records*

September 11, 2017  
**SPR17/1274**

Mr. Ronald Alexander  
P.O. Box 81003  
Wellesley, MA 02481

Dear Mr. Alexander:

I have received your letter appealing the response of the Town of Wellesley - Police Department to your request for records.

I have directed a member of my staff, Cassandra Chung, to review this matter. Upon completion of the review, I will advise you in writing of the disposition of this case. If in the interim you receive a satisfactory response to your request, please notify this office immediately.

Any further correspondence concerning this specific appeal should refer to the SPR case number listed under the date of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Murray".

Rebecca S. Murray  
Supervisor of Records

cc: Lt. Marie Cleary



**Rastellini, Patricia (SEC)**

---

**From:** Ron Alexander <ron.alexander10@comcast.net>  
**Sent:** Friday, September 08, 2017 4:30 PM  
**To:** KathleenNagle  
**Cc:** records@wellesleyma.gov; Sec.RAO@sec.state.ma.us; SEC-DL-PREWEB; SEC-DL-PREWEB; ron.alexander10  
**Subject:** Re: Failure to respond to public records request.  
**Attachments:** 2017-08-17\_Ronald-Alexander\_Documents-and-Reports\_request.pdf; 2017-09-05\_Ronald-Alexander\_Documents-and-Reports\_appeal.pdf; 2017-09-07\_171214.pdf

Apologies, documents attached.

Thanks,

Ron Alexander

On September 8, 2017 at 4:04 PM Ron Alexander <[ron.alexander10@comcast.net](mailto:ron.alexander10@comcast.net)> wrote:

Dear Ms. Nagle,

I submitted a request for public records to the Wellesley Police Department (WPD) on August 17, 2017 (attached). Having received no response, I submitted an appeal to the Supervisor of Records on September 5, 2017 (attached). The Supervisor issued a determination on September 7, 2017 (attached), that indicated that "the proper agent for handling public record requests never saw the inquiry". As the head Records Access Officer (RAO) for the Town of Wellesley, MA, you are responsible for ensuring that requests for public records are routed to the proper person(s) and are responded to correctly and in a timely fashion according to the Public Records Law and its regulations. Please provide an explanation for why this request was not handled according to the requirements of your responsibilities as RAO for the Town of Wellesley, MA.

Also, please provide the list of email addresses which receive emails that are sent to the "[records@wellesleyma.gov](mailto:records@wellesleyma.gov)" email address.

Finally, since this failure on your part has resulted in a delay of providing the requested records, with the effect that I will have to wait at least twice as long as specified in the

law, I request that you instruct the WPD to provide me with the requested records immediately and with no further delays.

Sincerely,

Ron Alexander

TOWN OF WELLESLEY



MASSACHUSETTS

## BOARD OF SELECTMEN

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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BLYTHE C. ROBINSON  
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

September 15, 2017

MEMO TO: Board of Selectmen

FROM: Blythe C. Robinson, Executive Director

RE: **25 Shaw Road**

As you are aware, the home at this location was rented by the owner (Vida DeArce) to persons last Saturday, September 9<sup>th</sup> who had a party that caused issues for the neighborhood. The Police Department responded twice to the house and in the early hours of Sunday morning they acted to shut down the party and dispersed the attendants. No charges were brought against the owner, tenant or people in attendance. The reaction to the event from the neighbors was that of great concern, resulting in several attending the Board's meeting on Monday night. The purpose of this memo is to bring you up to speed on what we are doing to address the situation at this property, and information on what the Town could do going forward.

On Thursday, we were able to schedule a meeting with the owner at Town Hall, attended by myself, Chief Pilecki, Mike Grant and Lenny Izzo. We reviewed the situation with Ms. DeArce with regards to public safety, impact on the neighborhood, health and housing code concerns, and building code and zoning bylaw issues.

Ms. DeArce claims she did not know a party would be held, and admits that she had listed the property as eligible to have events, but in her mind events would be something on a much smaller scale. It has been made abundantly clear to her that the Town will not accept parties at the property like what occurred, and should there be any the Police will act to shut them down immediately, and she may be charged with "operating a disorderly house", a criminal offense that carries with it a \$500 fine and up to 6 months in jail. She further understands that blocking the street with a large number of cars or loud music or noise is

not acceptable. She confirmed to us that her AirBnB ad has been taken down, and that she has other tenants lined up (and one there presently), but all are there for longer periods of time and have no events planned.

We reviewed with Ms. DeArce the zoning, building code, health code and housing code issues that we believe may need to be rectified. Those include but are not limited to:

- Temporary storage trailer
- Interior construction to renovate bathrooms and other spaces
- Trash in the yard that may be health code violations
- Pooling of water that may lead to mosquito infestation
- Whether the house is fit for human habitation as outlined in the housing code

Ms. DeArce has agreed to allow Mr. Grant and Mr. Izzo to inspect the property on Tuesday, Sept 26<sup>th</sup>, the day after her current tenant vacates. It is their intent to complete the inspection and issue any violations that are present.

Ms. DeArce was asked what her long-term plans are for the property, to which she was unclear. She did confirm that she has visited Town Hall to learn what would be required to renovate the property and add on to it to make it ADA accessible for her daughter. She states that she is living with a friend while she embarks on that, renting the property in the meantime. If she is not able to renovate, she was unsure whether she would sell it, or continue to rent it short-term.

An event such as this brings up questions about zoning with regard to bylaws that be enforceable on the books today, and options for the future. After speaking with staff and Town Counsel, it is our opinion that the rental of the property does not constitute a business use or that of a rooming house. The length of the rental really makes no difference from one night to a year or more. However, we do regulate the number of unrelated people who can live at a property. While we do, that wasn't the issue in this case, as two people were renting and staying there. This concern has come up on other properties, and while we can try to address it by asking for a copy of a lease and verification of how the occupants are related, Town Counsel advises that we likely would have to seek court action to resolve a matter.

Finally, the question about whether or not to regulate rentals such as AirBnB has come up. That is something that the Town can do through a bylaw change. The options range from prohibiting short-term rentals altogether, to limiting them in some way (district where they are allowed, length of time for the rental, etc). I understand from Town Counsel that he is aware of only one town limiting rentals to not less than a month, with a license issued by the Board of Selectmen. I would suggest that this topic requires more discussion amongst Town Boards, and consideration to the impact to people who need tenancy of various terms, and the impact of these rentals on our neighborhoods.

TOWN OF WELLESLEY



MASSACHUSETTS

## BOARD OF SELECTMEN

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BLYTHE C. ROBINSON  
EXECUTIVE DIRECTOR OF GENERAL GOVERNMENT

September \_\_\_\_\_. 2017

Katharine Miller  
MassHousing  
One Beacon Street  
Boston, MA 02108

RE: 16 Stearns Road, Wellesley, MA Site Eligibility Response

Dear Ms. Miller:

On behalf of the Town of Wellesley Board of Selectmen and Planning Board, please find the following comments with respect to the Comprehensive Permit Site Approval Application recently submitted by 16 Stearns Road, LLC for the construction of a 36-unit residential housing development at 16 Stearns Road within the Town of Wellesley. The Town the location of the proposed project ill- conceived given the limited access to the site and proximity to the 680 Worcester Street project currently in Site Eligibility review with MassHousing. The Town finds the project's density, scale, and height incompatible with the neighborhood and finds the project will have a detrimental impact on abutters due to mass, scale, and traffic. We request that your office and the applicant consider our following concerns:

### **Wellesley's Progress on Affordable Housing**

The Town of Wellesley has been making incremental progress over the last 15 years in increasing the Subsidized Housing Inventory and passing zoning provisions to assist with affordable housing as redevelopment opportunities in Wellesley's commercial districts occur. The Town as of August 24, 2017 is at 6.3% of its 10% goal, with at least 8 units in progress of being added to the Subsidized Housing Inventory. Below are the Town's actions that have assisted with affordable housing:

- The 2007-2017 Comprehensive Plan was adopted in 2007 with actions for affordable housing.
- The Inclusionary Zoning Bylaw (IZB) was adopted in 2004 which requires residential projects in commercial districts to provide 20% affordable housing, and commercial

projects over 10,000 square feet to provide 2% affordable housing (1 unit for every 50,000 square feet constructed).

- 2004 the Town's Community Preservation Committee funded \$65,000 in addition to HUD funds to create a DMR house at 4 Marshall Road (SHI)
- 2005 the IZB was modified to require subdivisions having more than 5 lots to comply with the Bylaw at 20% threshold.
- 2007 the definition of Floor Area Ratio in the Zoning Bylaw was modified to exclude affordable units developed under the IZB from being included in the FAR to increase density and increase opportunities for affordable housing units in commercial districts.
- 2007 the Linden Square project was completed, wherein 7 affordable housing units were created under the IZB (Units have recently be found to be missing from the Town's SHI, but are being added now).
- 2007/2008 permitting began for projects at 978 Washington Street and the former Wellesley Inn site at 576 Washington Street in Wellesley Square; these projects were delayed due to the recession, but both have now been completed, resulting in 7 SHI-eligible units at 978 Worcester and 5 SHI-eligible units at 576 Washington Street. Both projects were developed under the Town's Zoning and subject to the IZB; 978 Worcester St. also resulted in payment in-lieu funds for 1 unit.
- 2009 the permitting of a CVS resulted in the payment of in-lieu funds under the IZB.
- 2011 a 40B project was approved at 65-71 Washington Street resulting in 1 SHI-eligible unit.
- 2012 a project was permitted at 27 Washington Street, resulting in the development of 82 SHI-eligible units, as well as 7 assisted living units not SHI-eligible but permanently deed restricted to be affordable.
- 2012 the Wellesley Housing Development Corporation purchased a two-family dwelling at Peck Ave and a single-family dwelling at 6 Mellon Road, renovating the homes and creating 3 affordable units; at this time the Town also purchased 9 Highland Road, although it is not on SHI, but it is affordable due to deed restriction not complying with DHCD requirements (Must wait to add on resale per DHCD).
- 2013/2014 a 40B project was approved at 139 Linden Street providing 1 SHI unit (to be added to SHI).
- 2013 Wellesley Square Zoning District was amended to create a special permit to increase density; this benefited and allowed the previously stalled Wellesley Inn project to proceed.
- 2016 the Planning Board approved a Definitive Subdivision plan for 135 Great Plain Ave. that included a payment in-lieu for 2.4 units.
- 2016 to present, the Town is developing a new Comprehensive Plan; known as the Unified Plan, the Plan is combining typical land use planning with all aspects of the Town's government to serve as a master strategic plan for the Town. The Plan is expected to be adopted in the Winter/Spring 2018. [www.wellesleyunifiedplan.com](http://www.wellesleyunifiedplan.com)
- July 2016 to present, the Planning Board, Board of Selectmen, and Housing Development Corporation, have aggregated \$35,000 for the creation of a Housing Production Plan for the Town. An RFP is expected to be released by September 18, 2017.

### **Site Constraints**

The site has an area of 44,578 square feet. The proposed development has a gross floor area of approximately 97,000 square feet with a Floor Area Ratio of based upon the response that the proposed Floor Area Ratio is 2.18, and an average height of 70 feet. The west side of the project measures 81 feet in height. The site has approximately 5,000 square feet within a 0.2% Flood Zone, with the remainder of the site being comprised of steep grades and ledge. The elevation change from Stearns Road to the peak of the property is 18 feet. The proposal will regrade the site to be at street grade of 152 feet. This will require a tremendous removal of site material and the installation of 7-11 foot retaining walls along the abutting properties with no fencing proposed.

### **Flood Zone and Wetlands**

As noted above, the site is partially located within the Flood Plain. The applicant states they are seeking a Letter of Map Amendment, however as no LOMA has been issued it should be noted the lower level of the parking garage is at the Flood Plain elevation. The plans also show there is a common exercise room with access to an outdoor community space in this flood plain area

Wetlands are located on the adjacent property at 694 Worcester Street across the right of way from the project site. In December 2015, the Town's Wetlands Protection Committee determined that the isolated wetland on the property is not jurisdictional and the Committee issued a negative Determination of Applicability. As this determination was based upon an inspection in the fall, the Town is of the opinion that an inspection for the presence of a vernal pool should be conducted in the spring, as well as evaluating the role of the wetlands in flood control. The buffer zone for this potential wetland would largely impact the 16 Stearns Road property.

### **Proposed stormwater management concerns**

Given the dense development of the site and the highly impervious proposal, stormwater management and groundwater management are significant concerns to the Town. The underground garage and dense site configuration will limit the available locations for subsurface infiltration. Ground water has largely been located in the area at depths of 5 feet below grade. On-site mitigation must be considered, however, the Town will be opposed to the location of subsurface infiltration underneath the foundation of the proposed building. Although stormwater management is neglected in the application, the developer has proposed similar subsurface systems at the 680 Worcester Street 40B site. The front of the property is the only location that where subsurface infiltration can be located. At this time, there is no information on soil conditions or percolation capabilities of the site. The site is within close proximity to the McCracken Brook culvert that is currently at capacity. Unmanaged stormwater will exacerbate the problems associated with the McCracken Brook culvert and could have significant impact on the small residential neighborhood with potential ground water disturbance.

### **Fire Access**

The Fire Department has expressed concern over the height of the structure and ability to access the structure from multiple sides. One elevation of the structure is over 81 feet in height. The Fire Department will consider the structure as a high rise for construction purposes. The Fire Department finds that additional access will be required to the sides and rear of the structure, as access is limited with 14-15 foot setbacks within 150 feet in either direction from the front door. An access road is required. Further, given the height of the structure, the Tower Truck must respond to all calls at the site. The turning radius of the front driveway is not adequate to accommodate the Tower Truck, and given the limited access to the site from Francis Road and Stearns Road, turning around must be accommodated on the project site.

### **Proposed setbacks will cause unacceptable impacts to abutting properties**

The setbacks of the proposed project are inadequate and juxtapose a 70-foot-tall building 15 feet from the abutting property line and 45 feet to a single residence home located at 10 Stearns Road to the east. The Town owns land to the east, south, and west and the structure will be located 14.9 feet from the Sprague School Parking Lot and Sprague Fields access drive. The minimal setbacks leave inadequate adequate buffer or screening from abutters; particularly given front access will be 160 feet from the rear of a proposed 20 unit 40B located at 680 Worcester Street. The two projects significantly impact the properties located at 11 Stearns Road and 9 Stearns Road, which will have projects to the rear and across the street from their low profile single-family structures. In addition, the proposal creates exterior balconies that will overlook the abutting properties with minimal visual or sound mitigation.

### **Parking Garage and Visitor Parking**

The parking for the site includes 78 parking spaces, configured in 5 surface spaces and two levels of underground parking having 36 and 37 spaces. The applicant has provided minimal visitor parking. It should be noted Stearns and Francis Roads prohibit on street parking. Trash is proposed to be located on the eastern side of the property with an exterior dumpster, located at the closest point to the abutting residential property. It is important to note that Wellesley does not have municipal trash removal, but relies on residents or private trash hauler, as licensed by the Board of Health.

### **Water and Sewer service**

The Town has preliminarily reviewed the water and sewer infrastructure in the immediate area. While DPW/Engineering believes sewer can be handled with the existing 8" main, there is significant concern that the existing 6" water main will not provide adequate flow with the necessary sprinkler system, while maintaining appropriate service levels for the neighborhood. Replacement of the line to an 8" or 10" line will be required from Route 9, thus impacting both the Stearns Road and Francis Road water lines.

### **Site access exacerbates existing traffic and circulation problems**

The proposal includes direct ingress and egress from Stearns Road, a narrow dead end street located directly off Francis Road, a narrow and dead end street, with direct access from Route 9 eastbound. Stearns Road and Francis Road are heavily traveled pedestrian routes for access to the Sprague School heading south, and Middle School heading southeast. The neighborhood is currently comprised of 17 single family structures

(excluding the lot in question) largely 1.5 stories in height. The neighborhood has limited vehicular access, as it can only be access from Route 9 eastbound. The limited access to Route 9 is also a concern with traffic backup onto Francis and Stearns Road during peak commuting hours.

It is unclear whether the applicant is proposing to add any sidewalks within the neighborhood. The additional volume of 36 residential properties on a narrow road with significant pedestrian traffic, and no sidewalks is a concern given the current width and limited access to the property. There currently are no sidewalks on either Francis Road or Stearns Road and both rights of way measure approximately 40 feet in width, with pavement widths of approximately 20 feet in width. Sidewalk installation should be a consideration given the increased vehicular and construction volume. The proposed project adds over 200% more residences and vehicular activity to the neighborhood at the current pedestrian access point to both the Sprague elementary school and Middle School. Many residents along Worcester Street also use this neighborhood for access. Residents currently access Sprague School by walking through the end of Stearns Road through to the School property via a stone path. The installation of sidewalks is feasible given the 40-foot right of way, however will have significant impact to the existing streetscape requiring removal of established Town trees located within the right of way.

**Construction of the project will have significant impacts on adjacent properties and streets**

The Town has significant concerns with respect to the practicality of constructing this project. The size and location of this site makes it difficult to stage cranes or other construction equipment. The significant removal of site material also poses a problem with the number of anticipated trucks needed to haul the material off site and the limited access. In addition, the two-tier parking proposed will require significant concrete work, and staging of trucks will be difficult given the limited access to the site from Route 9 and the small neighborhood streets the used to access the project site. Additionally, parking for all construction workers may not be completely accommodated on site given the size of the project, and as previously noted parking is prohibited on Stearns Road and Francis Road, as well as Route 9. Deliveries will need to be expertly coordinated and offsite parking of workers may be required. The developer has not stated in the site application how construction would be staged and coordinated.

**The density of the proposed developed is significantly inconsistent with adjoining development**

Thirty-six (36) residential units on a 44,578 square foot lot equates to a density of 35 units per acre. This project will be a dense project in Wellesley and the tallest residential structure in Wellesley. The density of the abutting residential neighborhood, not including the subject property, is 3 units per acre. The single-family structures directly abutting the site will be significantly impacted due to the close proximity and potential shadow affects from the development.

The application largely references the Alzheimer's Center as neighborhood context. The site although within close proximity on a map, has no neighborhood connection and contextually is separated from the proposed 36-unit development as a result of the street patterns.

### **Historical Soil Concerns**

The project site is located within close proximity to a landfill remediation site located at Sprague Field. Given the proximity to McCracken Brook Culvert, and the amount of fill proposed for removal, the Town believes the site should conduct a 21E to verify the soil at lower levels has no contamination from the historic landfill located adjacent to the property.

Based on the above, it is apparent that the proposed development is too intense for a site that is approximately 1 acres in size. More affordable housing opportunities are necessary in the Town of Wellesley and the Town is currently working on a housing production plan. The proposed density in a neighborhood with limited access is unreasonable and incongruous with the 1.5 story residential structures on .25 to .5 acre lots. In addition, this second proposed 40B development within less than 160 feet from a proposed 40B development, by the same developer at 680 Worcester Street has significantly decreased the economic value of these properties. The developer is systematically seeking to purchase abutting properties, and given the detrimental affect the two projects might have on the quiet single-family neighborhood, residents feel pressure to sell. This proposal, along with the 3 other 40B projects currently in site eligibility at MassHousing and MHP are far out of character with the community. The Town would be inclined to support development on the site, but at a density in the range of 4-8 units per acre.

For reference, 40B projects currently in Project Eligibility:

1. 680 Worcester Street (20 Units)- ~160 feet from proposed project
2. Wellesley Crossing – Delanson Circle (95 Units) ~2100 feet from proposed project
3. 135 Great Plain Avenue (44 Units) ~ 1.6 miles from proposed project

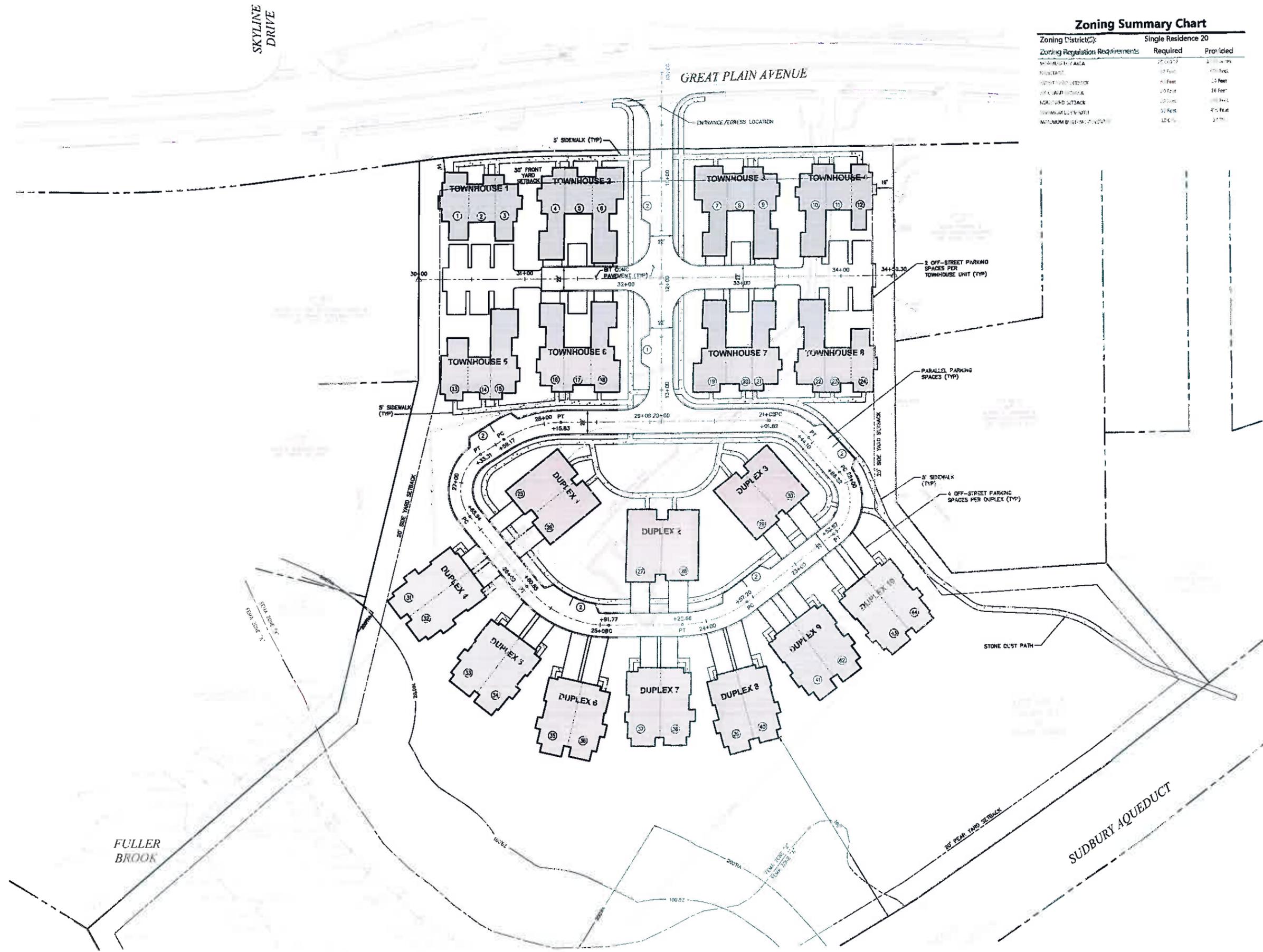
Other 40B projects being considered in Wellesley

1. 148 Weston Road (60 Units) ~ 3000 feet from proposed project
2. 144 Worcester Street (44 Units) ` 3 miles from proposed project



### Zoning Summary Chart

Zoning District(s)	Single Residence 20	Required	Provided
Zoning Regulation Requirements	2500 SF	1,000 sq. ft.	1,000 sq. ft.
MINIMUM LOT AREA	30 Feet	30 Feet	30 Feet
MINIMUM FRONT YARD SETBACK	5 Feet	5 Feet	5 Feet
MINIMUM SIDE YARD SETBACK	5 Feet	5 Feet	5 Feet
MINIMUM REAR YARD SETBACK	5 Feet	5 Feet	5 Feet
MINIMUM BUILDING HEIGHT	12.5 Feet	12.5 Feet	12.5 Feet



135 Great Plain Avenue  
 Wellesley, Massachusetts

No.	Rev.	Date

Project Eligibility September 8, 2017

Not Approved for Construction  
**Concept Layout and Materials Plan**



**C-1**

1 of 3

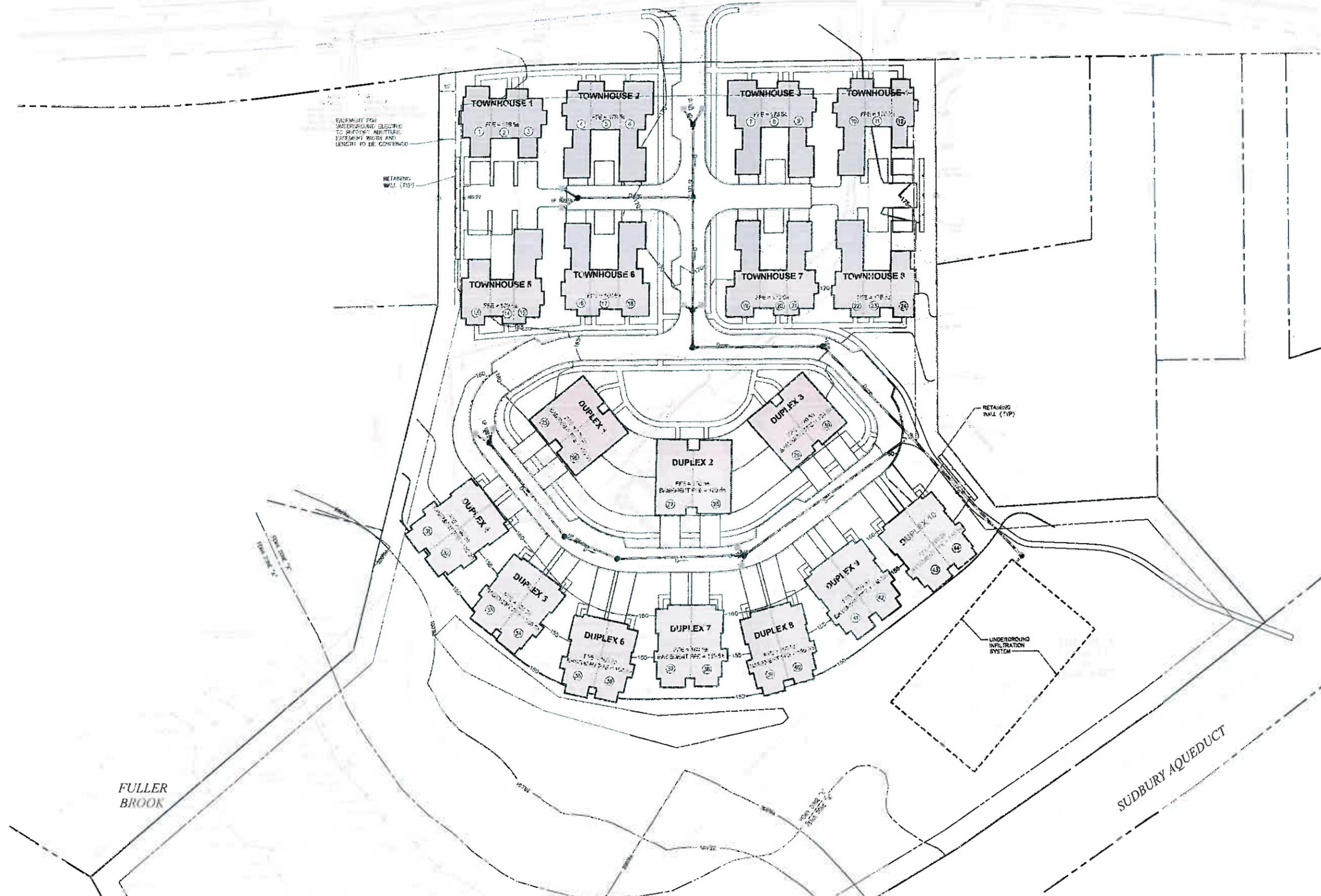
13926.00



101 Walnut Street  
PO Box 9151  
Watertown, MA 02471  
617.924.1770

SKYLINE  
DRIVE

GREAT PLAIN AVENUE



135 Great Plain Avenue  
Wellesley, Massachusetts

DATE	08/08/17
BY	CSG
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	

Project Eligibility September 8, 2017

Not Approved for Construction  
**Concept Grading and  
Drainage Plan**



**C-2**  
2 3  
13936.00





# 135 GREAT PLAIN AVE, WELLESLEY

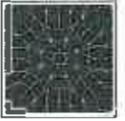
Schematic Landscaping and Screening Plan

September 6, 2017

SCALE: 1"=100'-0"



**RYAN ASSOCIATES**  
 LANDSCAPE ARCHITECTURE AND PLANNING  
 144 Moody Street, Building 4  
 Waltham, MA 02453-5332  
 ph: 781-314-0401  
 www.ryan-assoc.com



**UNION STUDIO**  
 ARCHITECTURE & COMMUNITY DESIGN



# 135 GREAT PLAIN AVE, WELLESLEY

PRELIMINARY SITE LAYOUT - PARKING

AUGUST 28, 2017

SCALE: 1"=100'-0"

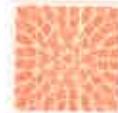




# 135 GREAT PLAIN AVE, WELLESLEY

CONCEPT ARCHITECTURE

AUGUST 28, 2017



UNION STUDIO

ARCHITECTURE AND INTERIORS

[www.unionstudioarch.com](http://www.unionstudioarch.com)

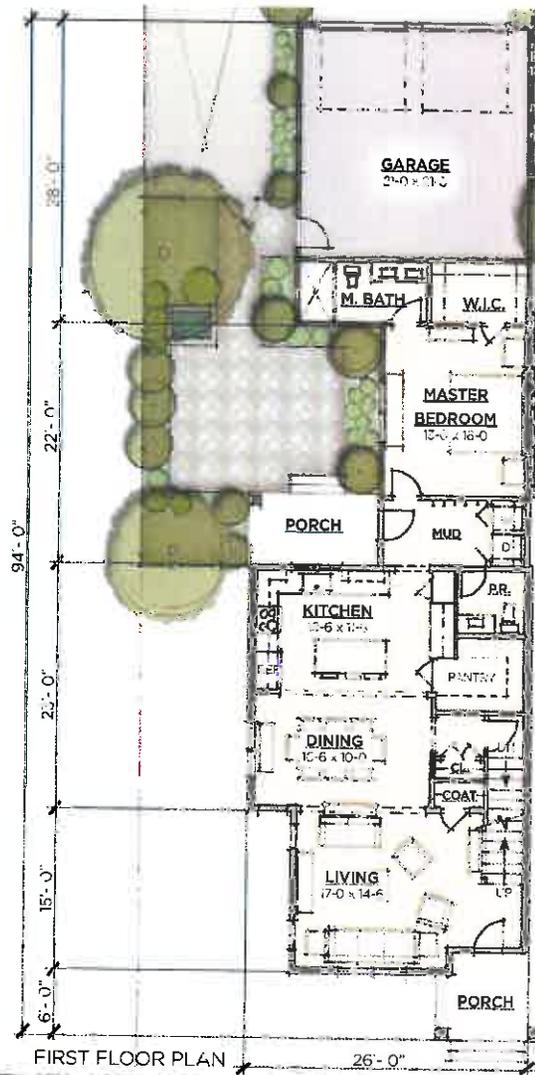
140 Union Street Providence, RI 02903

401.272.4724

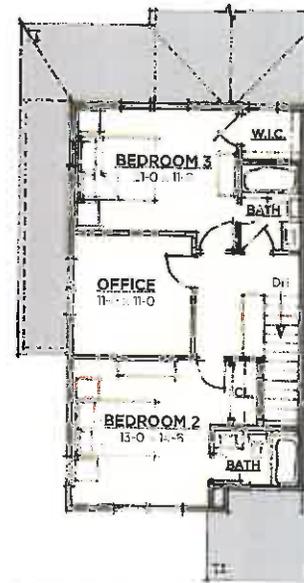
401.272.4825

**TIER I  
TOWNHOUSE TYPE A**  
3BR + OFFICE, 3.5BA

1st FLOOR	1,354 S.F.
2ND FLOOR	822 S.F.
<b>TOTAL</b>	<b>2,176 S.F.</b>



FIRST FLOOR PLAN



SECOND FLOOR PLAN

**CONCEPT ARCHITECTURE**  
GREAT PLAIN AVENUE - WELLESLEY, MA

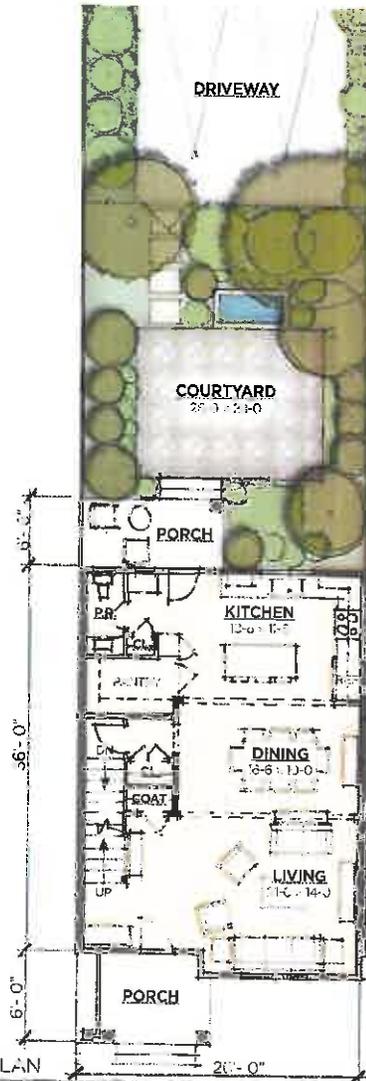


**UNION STUDIO**  
ARCHITECTURE, INTERIOR DESIGN

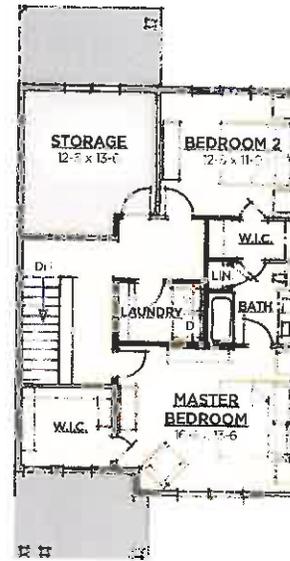
**TIER I  
TOWNHOUSE TYPE B**

2BR, 1.5BA

1st FLOOR	974 S.F.
2ND FLOOR	802 S.F.
<b>TOTAL</b>	<b>1,776 S.F.</b>



FIRST FLOOR PLAN



SECOND FLOOR PLAN

**CONCEPT ARCHITECTURE**

GREAT PLAIN AVENUE - WELLESLEY, MA

August 28, 2013

SCALE: 1/2" = 1'-0"



**UNION STUDIO**  
ARCHITECTURE & COMMUNITY DESIGN

**TIER I  
TOWNHOUSE TYPE C**

3BR + OFFICE, 2.5BA

1st FLOOR	1,222 S.F.
2ND FLOOR	922 S.F.
<b>TOTAL</b>	<b>2,144 S.F.</b>



**CONCEPT ARCHITECTURE**

GREAT PLAIN AVENUE - WELLESLEY, MA

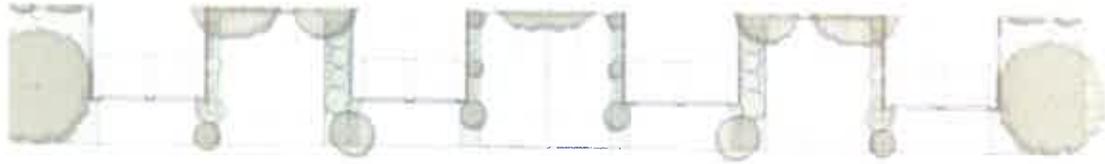
August 28, 2017

SCALE: 3/32"=1'-0"



**UNION STUDIO**  
ARCHITECTURE & INTERIORS

**TIER I**  
**TOWNHOUSES TYPE A-B-C**

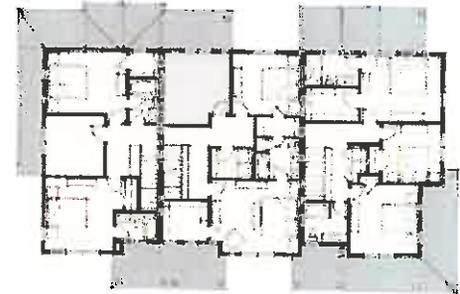


ALLEY



FIRST FLOOR BLOCK PLAN

STREET



SECOND FLOOR BLOCK PLAN

**CONCEPT ARCHITECTURE**

GREAT PLAIN AVENUE - WELLESLEY, MA

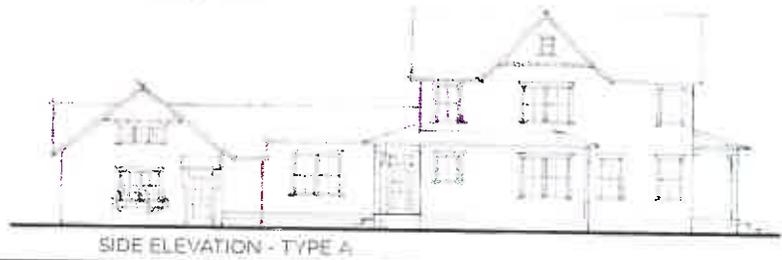
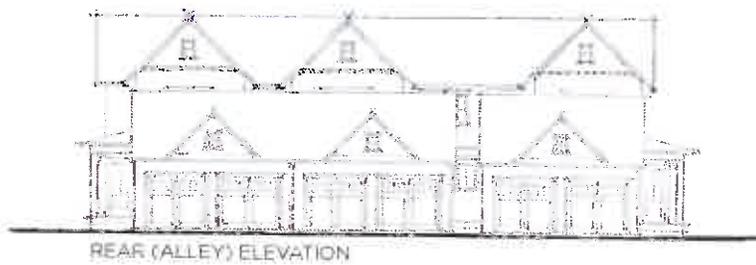
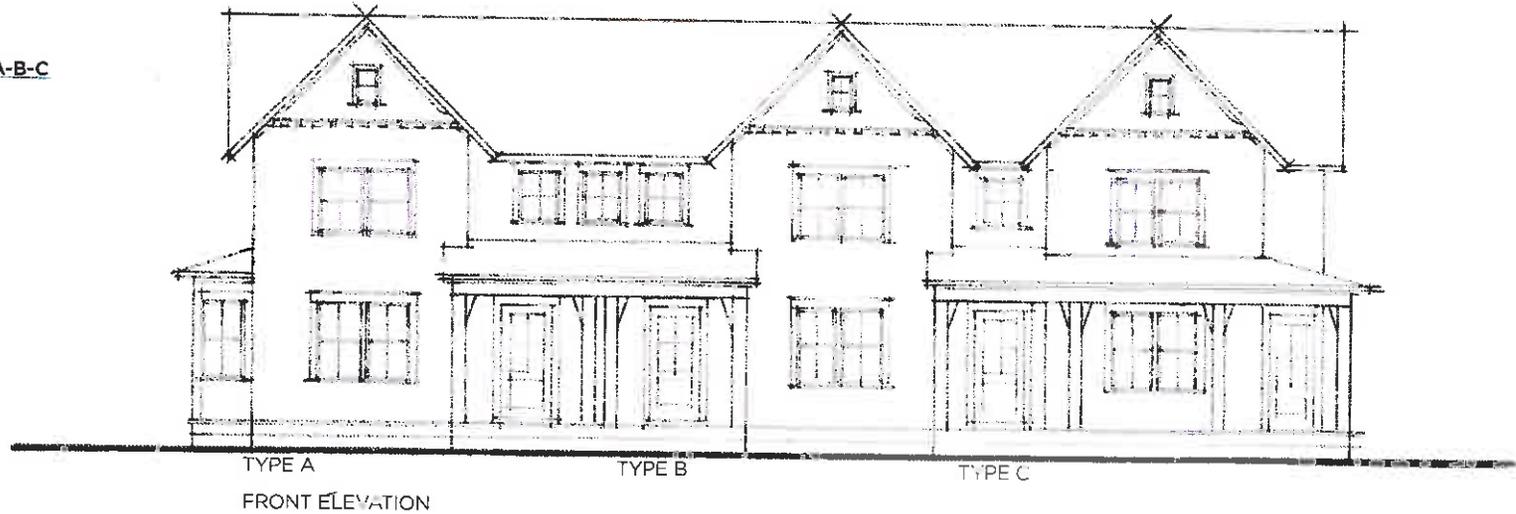
AUGUST 25, 2017

SCALE: 3/84"=1'-0"



**UNION STUDIO**  
ARCHITECTURE & CONSTRUCTION

TIER I  
TOWNHOUSE TYPES A-B-C



CONCEPT ARCHITECTURE

GREAT PLAIN AVENUE - WELLESLEY, MA

August 26, 2017

SCALE: 1/8"=1'-0"

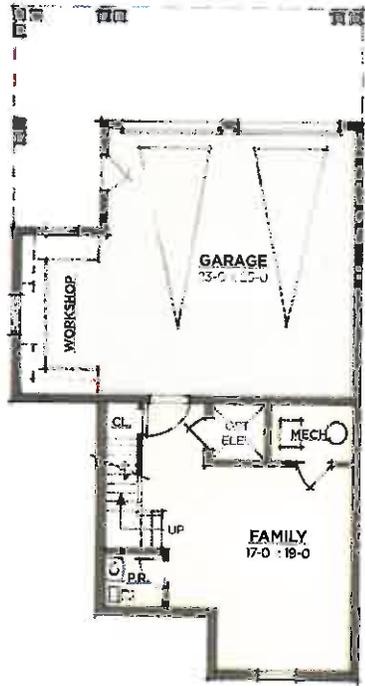


UNION STUDIO  
ARCHITECTURE & COMMUNITY DESIGN

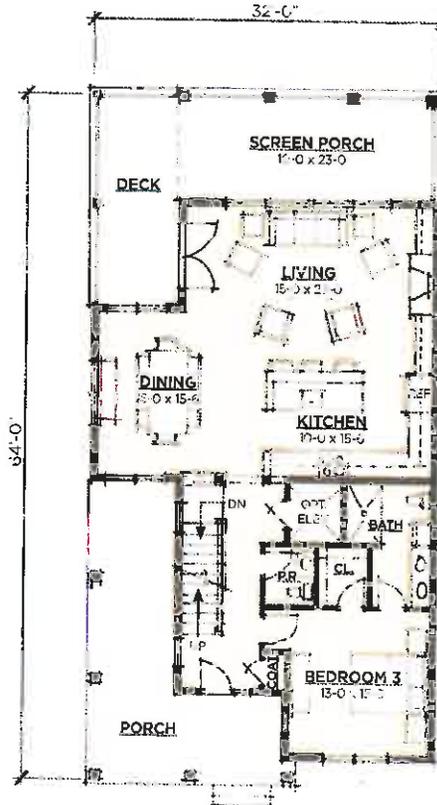
**TIER II  
 DUPLEX TYPE A**

3BR, 2 + 2 HALF BA

LOWER LEVEL	564 S.F.
1st FLOOR	1,316 S.F.
2ND FLOOR	886 S.F.
<b>TOTAL</b>	<b>2,766 S.F.</b>



LOWER LEVEL PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

**CONCEPT ARCHITECTURE**

GREAT PLAIN AVENUE - WELLESLEY, MA

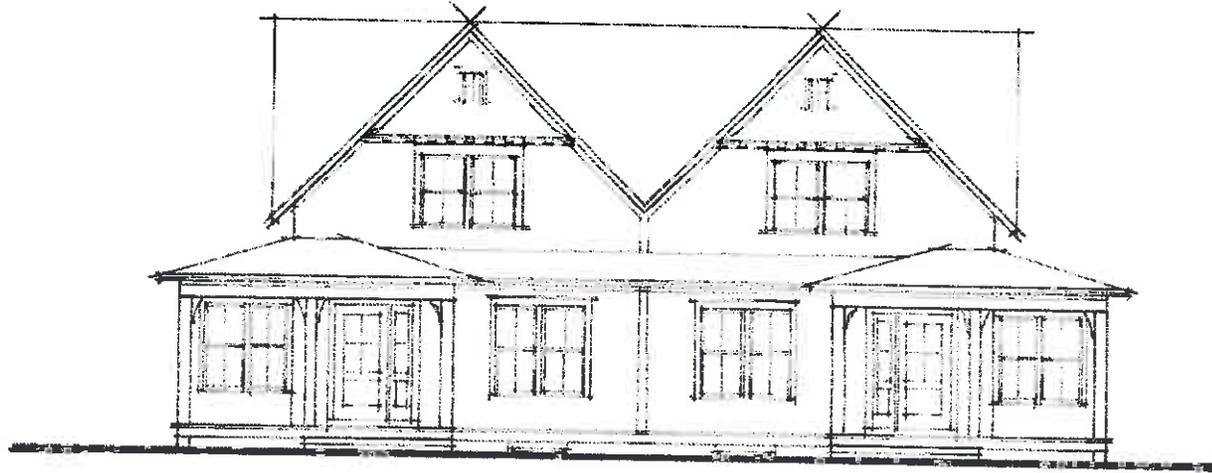
August 28, 2017

SCALE 3/32"=1'-0"

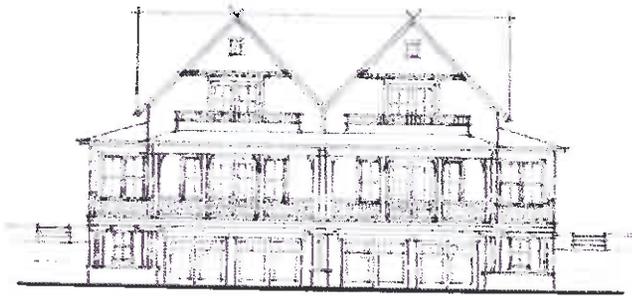


**UNION STUDIO**  
 ARCHITECTS & COMMUNITY DESIGN

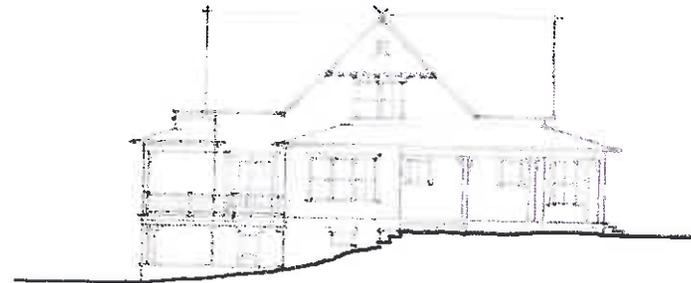
TIER II  
DUPLEX TYPE A-A



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

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## CONCEPT ARCHITECTURE

GREAT PLAIN AVENUE - WELLESLEY, MA

AUGUST 2011

SCALE 1/8" = 1'-0"

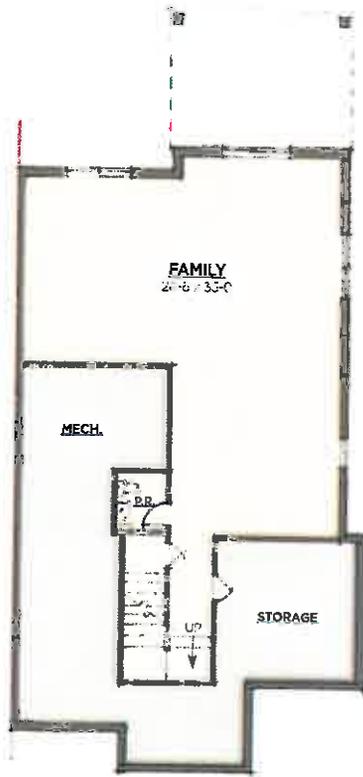


UNION STUDIO  
ARCHITECTURE & COMMUNITY DESIGN

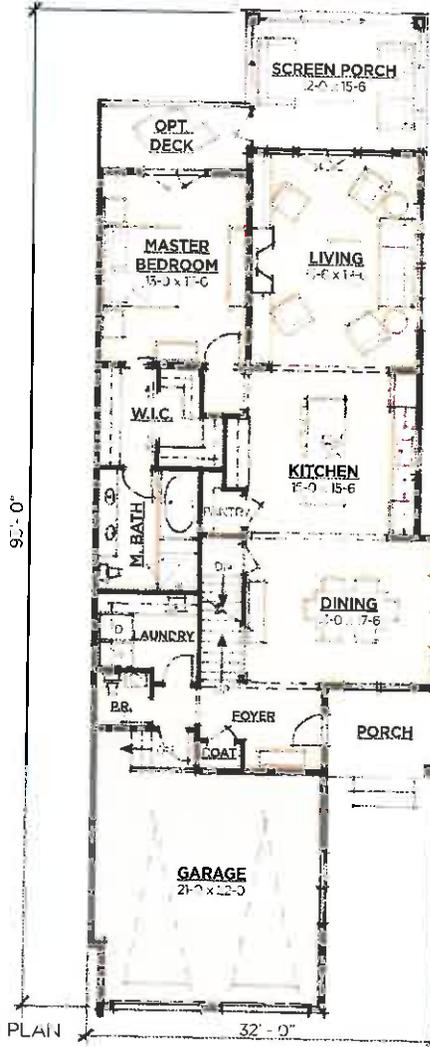
**TIER III**  
**DUPLEX TYPE B**  
 3EP, 2.5BA

1st FLOOR 1,634 S.F.  
 2ND FLOOR 904 S.F.  
**TOTAL 2,538 S.F.**

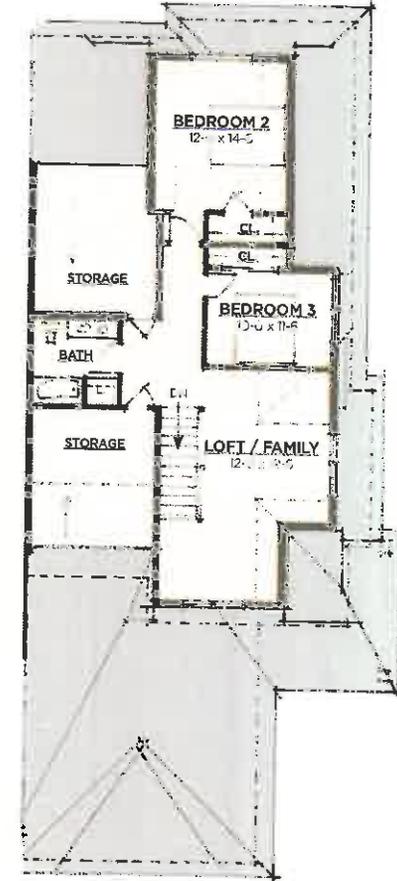
LOWER LEVEL 922 S.F.



LOWER LEVEL PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

**CONCEPT ARCHITECTURE**

GREAT PLAIN AVENUE - WELLESLEY, MA

3-19-07 2.5.2011

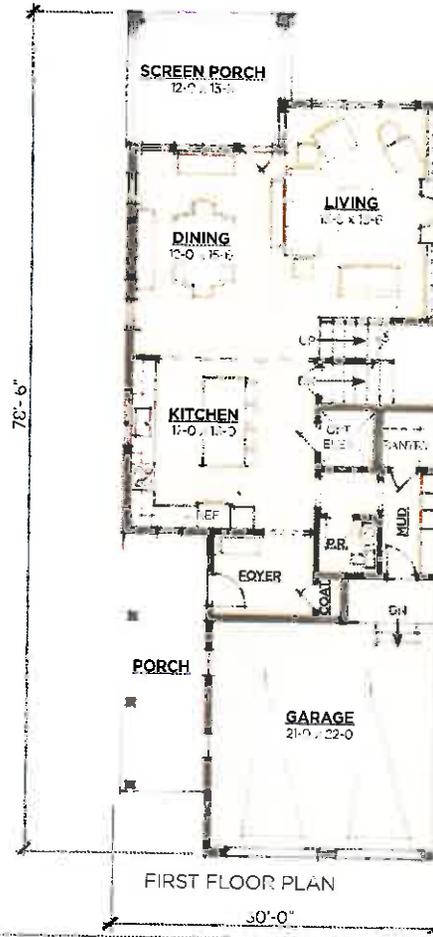
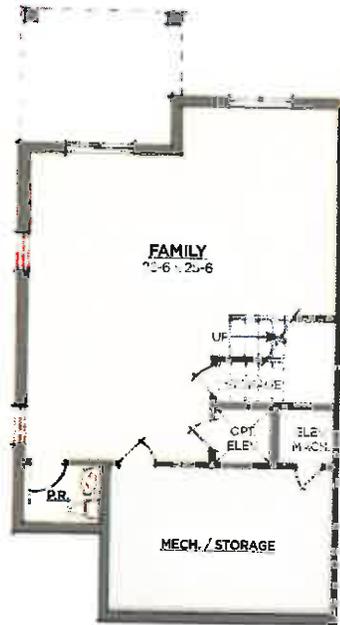
SCALE 1/32"=1'-0"



**UNION STUDIO**  
 ARCHITECTURE & COMMUNITY DESIGN

**TIER III**  
**DUPLEX TYPE C**  
 3BR, 2.5BA

1st FLOOR	1,263 S.F.
2ND FLOOR	1,276 S.F.
<b>TOTAL</b>	<b>2,588 S.F.</b>
LOWER LEVEL	1,012 S.F.



**CONCEPT ARCHITECTURE**

GREAT PLAIN AVENUE - WELLESLEY, MA

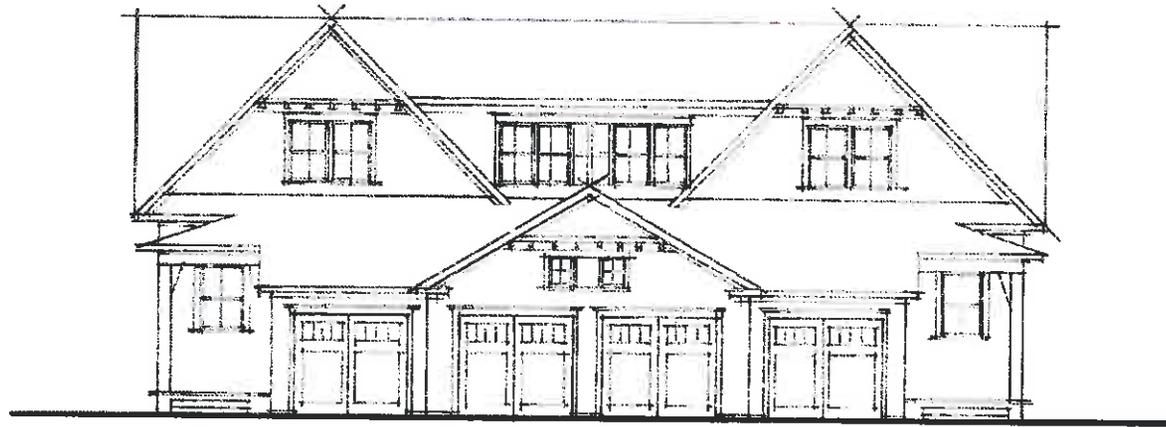
August 28, 2017

SCALE: 1/32"=1'-0"

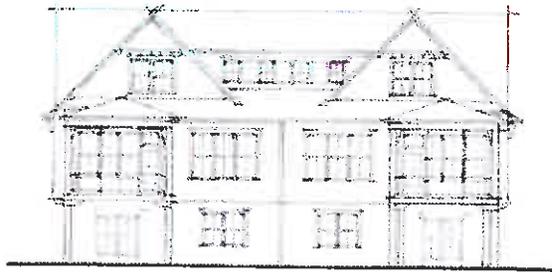


**UNION STUDIO**  
 ARCHITECTURE & INTERIORITY DESIGN

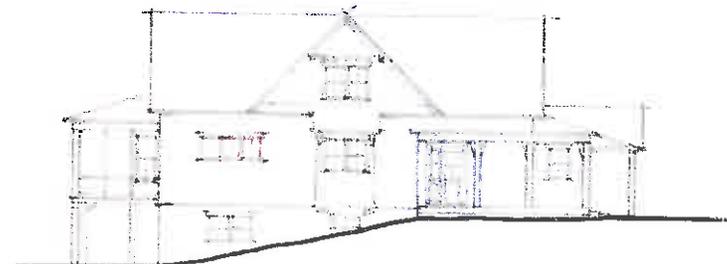
TIER III  
DUPLEX TYPE C-C



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

CONCEPT ARCHITECTURE

GREAT PLAIN AVENUE - WELLESLEY, MA  
AUGUST 20, 2012  
SCALE 1/8"=1'-0"



UNION STUDIO  
ARCHITECTURE & COMMUNITY DESIGN



**Selectmen's Office Work Plan - FY18 - September, 2017**

<b>Project</b>	<b>Issue or Current Status</b>	<b>Next Steps</b>	<b>Resources Required</b>	<b>BOS Liaison</b>	<b>Staff Assigned</b>	<b>Completion Date</b>
<b><u>MAJOR PROJECTS</u></b>						
HHU - School Bldg Comm.	Awaiting MSBA Program Decision	RFP ready, swing space being studied	\$\$ for Proof of Concept/Feasibility	Jack	SC & BOS	
Unified Plan	Draft Plan received, review beginning	Meet with Steering Comm. About draft		Marjorie/Ellen	Meghan, Michael	ATM - 2018
900 Worcester	PSI Process complete, at ZBA for site plan	complete ZBA, complete Wetlands	Review by Planning, MassDOT	Tom	Meghan, Blythe	Fall, 2018
North 40 Plan	Phase II Landfill closure testing complete	Review Phase II Findings - Est. Committee	\$75K approved for closure work	Marjorie	Blythe, DPW	Dec. 2017
Town Hall Envelope Repair	Design underway	Periodic review with PBC, other boards	Request Const funding at ATM		Joe	March, 2018
Wellesley Media	Expand Locations for filming public mtgs	Juliani room completed 9/12/17	Wellesley Media funding upgrades	Tom		Aug. 2017
Route 9/Kingsbury Upgrade	Install new traffic signal	Project delayed, compl.date unclear		Ellen	Meghan	Aug. 2017
40B Housing Projects	4 projects pending, two new proposed	Draft HPP RFP is in process	Funding approved, staff time	Marjorie/Ellen	Meghan, Michael	
<b><u>OTHER PROJECTS -</u></b>						
Transportation Adv. Group	Form working group to outline a charge			Ellen, Deb	Meghan	
Town Hall Interior Visioning	Dev. process for vision, study space needs	Contract to begin Jan. 1, 2018	Budget approved	Marjorie	Blythe, Joe	
DPW Work for Others	Program not transparent, value??	Meeting held on August 16th	N/A	Tom	Blythe, DPW	
Inter-Board Meetings	Ellen, Jack, Blythe, Meghan to discuss	Schedule for October, Feb. and another				
<b><u>POLICIES/REGULATIONS:</u></b>						
Alcohol in Town Buildings	Explore regulations to allow this	Set up mini-interboard - fall, 2017	Info from Town Boards, T. Counsel	Jack/Beth		Fall, 2017
BOS Handbook/Manual	Update/expand current policy manual	Review draft prepared by Marjorie		Marjorie		
BYOB Regulatons	Recommend a policy				Meghan	
Financial Policies/Proced.	Develop some policies, update existing	Review & then meet with Advisory			Sheryl, Blythe	
Health Insurance Policy	Town needs policy on ins. Eligibility	Draft policy for BOS & SC review			Blythe, Scott	
HR Manual/Handbook	Rough draft in process by HR Board				Scott	
PILOT Agreements	Develop policy for tax exempt properties	Data/info gathered, meet w/Ellen		Beth	Blythe	
Plowing of Private Ways	Town does not follow state law	Draft policy for BOS & DPW to discuss	1st mtg held in June w/DPW	Beth	Blythe, M. Pakstis	
<b><u>BYLAW UPDATES:</u></b>						
Animal Control	Existing bylaw does not meet State law	Working group mtg on draft 9/25/17	Town Counsel assistance		Blythe, Meghan	ATM- 2018
Budget Process	Review existing bylaw & update				Blythe, Sheryl	
Recreational Marijuana Bylaw	Establish bylaw to prohibit shops	Discuss topic with depts & boards		Jack	Meghan, Michael	March, 2018
<b><u>STAFF MANAGED PROJECTS</u></b>						
Budget Process Design	Budget Prep Manual - 2nd read 8/15 mtg	Dist. to all Boards&Advisory - comment	N/A		Blythe, Sheryl	July, 2017
Bldg Dept. Staffing	Monitor & coach re - admin. Staff				Blythe, Mike	
Community Compact	RFP - Digitizing public records drafted	Advertise RFP	\$15,000 in State funding		Blythe	
Communications Plan	Kick off Mtg held on Aug. 2nd w/State/staff	Waiting for plan outline from State	Hire a Comm. Mgr in BOS Office		Blythe, Brian	July, 2018

Project	Issue or Current Status	Next Steps	Resources Required	BOS Liaison	Staff Assigned	Completion Date
Electronic Permitting	Investigate options for Town	Work w/IT to ID vendors & applications	Kick off Mtg planned for 8/17		Blythe, Brian	
Health Ins. Plan Changes	Develop Plan Alternatives & Strategy	Kick off Mtg w/unions on Aug. 23rd	Possibly Legal Counsel		Marc, Scott, Blythe	Sept. 2017
Land Availability Inventory						
Union Negotiations	6 contracts settled - Police Patrol/Sup not	Meetings set up w/both unions	Town Meeting Appropriation		Scott, Meghan	Sept, 2017
<b>OTHER:</b>						
Bicycle Safety						
Great Hall Cleanup	Reduce # of offices, relocate files	Bldg dept plans removed, PBC by 7/30	Support from FMD to declutter		Blythe, Joe	6/30/2017
Town Counsel/Special Counsel	Discuss when outside counsel is needed					
PSI Follow Up Studies						

**FUTURE PROJECTS/PROJECTS WITH OTHERS**

SEC - Re-evaluate	Re-evaluate structure, charge	Possible Bylaw Update		Tom		
Town Parking Lot capacity	Discuss as part of HHU process					
War Memorial/Great Hall	Discuss with Town Hall Interior Vision					
Board Engagement						
Planning Board						
School Comm. Relations						
Revenue Gener. Opportunities	Table for now					
Community Dev. Department	Table for now					
Granite Street	Table for now					
Mass Bay	Table for now					
Housing Policy	Housing Production Plan RFP	Merge with UP findings				
Tax Classification Review	Revisit keeping single tax rate	Presentation on options		Tom	Donna	

**COMPLETED PROJECTS**

Hawkers & Peddlers	Revised version approved by BOS	Counsel has revised, BOS 2nd review			Blythe, Jack P.	6/5/2017
PBC/FMD Reorganization	MOU executed by BOS & PBC	Hiring for new positions underway	Funding in FMD budget	Marjorie	Blythe, Joe	6/26/2017
Veteran's District Reorg.	State Appr District Reord, Asst Dir Laidoff	Adjust work flow to remaining positions	N/A		Blythe, Sarada	6/30/2017
Website Redesign	Website went live on August 7th	Make ongoing refinements	Completed!		Brian	8/7/2017
FMD 5 Year Review	Review progress, next five years	Presented at 8/22/17 Meeting	Name change - Fac. Mgmt Dept		Joe	
Aqueduct Leases	All five leases executed	Completed on schedule			Terry	August, 2017

**NEW PROJECTS/NOT ON ORIGINAL WORKPLAN**

Appointments Policy	Policy to guide how BOS appts are made	1st Read at the 8/15/17 BOS Meeting		Ellen/Jack	Blythe	
Modifications to Alcohol Regs	Eliminated 10 bar seat max	Completed 9/11/17	Completed			9/11/2017