

**Select Board Meeting
April 3, 2023 – 7:00 PM
Sanford Hall
155 Village Street**

Present: Dennis Crowley, Chair; Glenn Trindade, Vice-Chair (via phone); Frank Rossi, Clerk; Todd Alessandri, Member; Maryjane White, Member.

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Bridget Graziano, Conservation Agent; Fire Chief Jeffrey Lynch; Deputy Fire Chief Craig Vinton; Police Chief Bill Kingsbury; Police Officer Paul McLaughlin; Barbara Saint Andre, Community and Economic Development Director; Sandra Johnston, Communications Director.

Others Present: Conservation Commission (ConCom): David Travalini, Chair, Dayna Gill, Vice-Chair; Matt Hayes, Planning and Economic Development Board (PEDB) Chair; ‘SUP Coalition: Stephanie Simeon, Coordinator, Dr. Armand Pires, Dr. Ryan Sherman, Susan Dietrich, Jordan Warnick.

At 7:00 PM, Mr. Crowley called the meeting to order, led the Pledge of Allegiance, and reminded all to remember the number 19.

Public Comments: There were none.

Approval of Minutes: March 20, 2023

The Board reviewed the draft minutes of March 20, 2023.

Ms. White moved that the Board approve the minutes of March 20, 2023. Mr. Alessandri seconded.

Discussion: Mr. Crowley requested on page 2, line 74 that the word “wrap” be placed in front of historical scenes and on page 3, line 121 that the following be added after replacement. “The Board was also concerned about the cost for easements, taking of property, and relocation of telephone poles.”. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

ARTICLE 38: (Amend General Bylaws: Add New Tree Preservation Bylaw)

Ms. Gill stated they are proposing a tree preservation bylaw with the goal to preserve trees noting this applies only to new construction, demolition, or added construction within zoning setbacks. The applicant would submit a plan to ConCom who would then review the plan. She noted any tree stated to be diseased or dead would require a certified arborist to confirm this in writing and would need to be submitted with the plan. They must also submit a plan to mitigate tree removal by either replacing tree(s) on their property or paying into a tree fund. The threshold is six inches in diameter. It was noted this is the same as the wetland’s requirements. Mr. Crowley asked for clarification of the impact of this for new construction. Ms. Graziano stated they could build within the existing building envelop and it is based on the zoning setbacks for that piece of property of where they cannot cut down trees. If they need to cut down trees in the setbacks, they would have to apply to remove the trees. She noted this is also to maintain an appropriate buffer between neighbors. Mr. Crowley asked for the trigger(s) for the need to submit this plan. Ms. Graziano noted every application is reviewed by her office and they would be able to determine if this is triggered. Mr. Crowley asked how the tree fund works. Ms. Graziano stated the example, if the tree has a twelve-inch diameter, it would cost \$150 per inch of the trees’ diameter to cut down if they do not plan to replace the tree on their existing property. She noted the

goal is to have the replacement of the tree on the property it was removed from. Mr. Crowley asked about the cost of an arborist. Ms. Graziano stated they need the written confirmation of an arborist if they are claiming the tree is dead or diseased, not if they want to take down a non-diseased tree. Mr. Crowley asked again for the cost for an arborist. Ms. Graziano stated between \$80-\$150/hour. Mr. Alessandri stated his concern that this would impact access to the home i.e., via the driveway or the need for access of construction vehicles. Mr. Rossi asked for the volume of calls related to tree removal. Ms. Graziano reported she gets three to four per week. She noted a lot of municipalities are presenting this at many of the ConCom related conferences and the biggest issue is the impact of residents taking down trees and the resulting flooding issues. Mr. Rossi asked if a 40B would need to follow this. Ms. Graziano stated the Zoning Board of Appeals (ZBA) would need to waive this as part of their comprehensive permit. Ms. Gill stated ConCom was looking at how they can support the Town relative to climate change, maintaining green space, etc. Ms. White asked if this is just for new property. Ms. Graziano stated that if an addition of greater than fifty percent of the current structure is being added, this would be triggered noting this does not include decks, sheds, etc. There was discussion about where you can disturb land relative to wetlands. Mr. Crowley asked the last date we could change the content of this article. Mr. Boynton stated no later than the next Select Board meeting on April 18th. Mr. Crowley requested the Select Board members send comments and questions back to ConCom. Mr. Trindade asked for contacts in other communities where this has been in place for a couple of years. Ms. Graziano pointed out that in section 31.3.2 notes the need for an arborist if a tree is diseased would be exempted from this process. Mr. Crowley requested that this be put out via the website, etc. for comments from the community. Ms. Gill noted that zoning is the only place that we currently discuss the protection of trees. Mr. Crowley asked for details of setbacks of the residential zones. Mr. Travallini reiterated this is only in the zoning setbacks where residents cannot do anything anyway.

Mr. Alessandri moved to TBD Article 38. Mr. Rossi seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Approval: Contract with Locality Media, Inc. d/b/a First Due for Software Implementation, Training, and Support for Fire Department Administration - \$27,100

The Board reviewed the (1) memo from Craig Vinton, and (2) contract.

Deputy Chief Vinton stated the existing software is becoming obsolete and they currently piggyback off the Police Department software. This software will also be used for expansion of fire reporting, community risk reduction, Emergency Medical Service reporting, cell phone notification, and scheduling, all of which are currently via different vendors. Mr. Crowley asked for the turnaround time and when they will be changing to this software. Deputy Chief Vinton stated they would like to be done by January 1st noting this is an 18-month cost.

Mr. Alessandri moved that the Board authorize the Chair to execute the contract with Locality Media, Inc. d/b/a First Due as presented. Ms. White seconded. Discussion: Ms. White asked if this must be done. Both Deputy Chief Vinton and Mr. Boynton confirmed. Mr. Alessandri asked if there will be savings from other contracts since this will replace other current vendors. Deputy Chief Vinton confirmed. Mr. Alessandri asked if this is the most current software available. Deputy Chief Vinton confirmed noting that both Westwood and Sherborn use this as well. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

Presentation by the Substance Use Prevention ('SUP) Coalition

The Board reviewed presentation.

Ms. Simeon introduced the 'SUP members present. She explained their goal as a collaborative approach looking at current and new systems. The first issues they will address are nicotine vaping and underage drinking. She explained the benefits of 'SUP including supplementing existing entities and their attempt to be proactive focusing on youth and prevent first use noting they are using the strategic prevention framework. She explained their meeting schedule, which was initially every month and now every other month with many subgroups meeting monthly. This effort is sustained by a five-year federal grant which pays her salary. They are in year two and hope to apply for an additional five-year grant. Medway Public Schools is the fiscal agent responsible for this grant. Dr. Sherman shared the list of participants for each group and community sector. He gave a history to date of this group noting that communities that have this type of coalition have lower youth drug and alcohol use. He then reviewed the logic model including community assessment and building an action plan again noting this was approved for targeting underage drinking and youth nicotine vaping. Ms. Simeon shared their accomplishments to date including a list of local resources and supports available on their website, public speaking events for students, and training programs for parents. She noted herself and Julie Harrington started the HYPE program for middle school students which stands for Healthy Youth Empowerment Group. She noted some of their other efforts include prom pledges and education on how to quit vaping. She then shared their future plans including education on the fake ID issue with providing training to existing businesses, having a drop in option for weekend evenings, launching of a social norms campaign, and the Building Bright Brains initiative. Ms. Johnston explained that Building Bright Brains initiative, which was soft launched, is a program for educating the community on understanding the impact of underage drinking. She noted there was an article in the *Millis Medway News* along with a planned interview with Medway Cable Access. The Board stated its appreciation for their efforts noting the importance of their message. Mr. Rossi asked if they plan to apply for an additional five-year grant. Ms. Simeon confirmed noting this is a Drug Free Community grant through the Centers for Disease Control. Dr. Sherman noted that if you can show progress in the first five years, then you can receive additional funding. Mr. Crowley asked for the original grant amount. Dr. Sherman stated \$625,000. Mr. Crowley asked if only Ms. Simeon's salary is paid via this grant. This was confirmed. Mr. Crowley asked for a walk through of Ms. Simeon's normal day. She stated it could be working to implement small and large group meetings, event planning, grant paperwork, contacts with the schools to support resources, and contact with the Health Director to support retailers. Mr. Crowley asked if this work is for both the Middle and High Schools. Ms. Simeon confirmed. Mr. Crowley asked what happens in the small groups. Ms. Simeon explained the HYPE middle school group and the small groups working with community members to develop and implement educational materials and programs.

Authorization to Expend Grant Funds – Housing Choice Grant - \$50,000

The Board reviewed (1) notice of grant award, and (2) contract.

Ms. Saint Andre stated she was here a couple of months ago talking about this grant that was applied for under the MBTA communities. She noted the state provided funds to assist us to hire a consultant to help us with the development of the MBTA communities zoning requirements.

Mr. Alessandri moved that the Board authorize the expenditure of the Housing Choice grant as presented. Ms. White seconded. Discussion: Mr. Crowley asked Mr. Boynton to review the letter we just received from the state. Mr. Boynton noted this was a requirement of the Baker administration, specifically requiring that fifty acres at fifteen units per acre, including twenty-five acres that must be contiguous, be identified for multifamily housing as by right. If we do not comply, we are not eligible for state grant programs including i.e., Housing Choice, transportation grants, etc. and in Medway's case, this could be up to 750 additional multifamily housing units. He noted that this must go to Town Meeting and since it is zoning, it is a simple majority vote to pass. The Attorney General's letter states

that not only would we be not eligible for grant funding if we do not comply, but we may expose the community to civil penalties as well. Mr. Boynton reported that we have filed all status reports and met all deadlines to date. He stated his frustration as first you must comply with state 40B regulations which we did and now you must build more housing, which has a significant impact on Town services and infrastructure. This is also another example of two state agencies directing us in two different directions in that the Department of Environmental Protection will not allow us to dump anymore water into the Charles River, but we are mandated to increase housing. Mr. Crowley asked why the state is pushing the mandate. Ms. Saint Andre stated due to the housing crisis across the country, especially multifamily housing, which is more affordable. She stated that we may be able to incorporate our existing multifamily housing into these requirements. She noted the Barrett Planning Group would be a great asset to the Town as they are very knowledgeable on this topic. Mr. Crowley stated we must do all this regardless of existing zoning. He noted the state is not forcing us to build the 750 additional units, but we must have areas for this identified. Ms. Saint Andre confirmed. Mr. Alessandri asked when we will have the information if we do have existing units that would apply. Ms. Saint Andre stated not until after the consultants complete their work. Mr. Rossi asked if the consultant would create an interim plan. Ms. Saint Andre confirmed. Ms. White asked if this only applies to communities adjacent to the MBTA. Ms. Saint Andre confirmed. Ms. White asked if the consultant would set up the plan, identify the areas, and would also lobby the state. Ms. Saint Andre stated they would not lobby state, but explained the specifics the consultant will do relative to zoning that will comply with the Department of Housing and Community Development's (DHCD) mandate including maintaining our 10% affordable housing. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

Mr. Crowley asked if there was feedback from other towns. Ms. Saint Andre stated there are housing advocates that state it is unfortunate that it came to this since cities and towns did not create housing as requested and others are not pleased.

Approval: Contract with Barrett Planning Group for MBTA Communities Zoning - \$43,750

The Board reviewed (1) memo from Barbara Saint Andre, (2) bid summary, and (3) contract.

Mr. Rossi moved that the Board authorize the Chair to execute the contract with Barrett Planning Group as presented. Mr. Alessandri seconded. Discussion: Mr. Rossi asked if we have used them before and if we were pleased with their work. Ms. Saint Andre confirmed. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

Acceptance of Choate Trail Subdivision Trail Easement

The Board reviewed the easement.

Ms. Saint Andre stated this is part of the Choate Trail Subdivision from Highland Street to Copper Drive and across lots to the High School connecting to the existing trail system. This has been reviewed by Town Counsel.

Mr. Rossi moved that that the Board accept the Choate Trail subdivision trail easement as presented. Mr. Alessandri seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Approval/Authorization of Chair to Sign Affordable Housing Unit Compliance Certificate for 7 Williamsburg Way, Unit 7

The Board reviewed the (1) memo from Barbara Saint Andre, (2) resale price certificate, and (3) compliance certificate.

Ms. Saint Andre stated Williamsburg Way is an affordable unit and since the Town is a co-monitoring agent we are involved in this process. They have forwarded the new deed and deed rider and certification from the state that the purchasers are in compliance. All have been signed by DHCD.

Mr. Alessandri moved that the Board authorize the Chair to execute the compliance certificate for 7 Williamsburg Way, Unit 7 as presented. Ms. White seconded. Discussion: Mr. Crowley stated he was surprised this sold at the cost of \$217,000 noting Timber Crest is selling at \$300,000 and he is not sure how anyone can afford these based on the affordable housing income restrictions. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

Approval: Contract with Pro-EMS Solutions for Ambulance Billing and Collection Services

The Board reviewed the contract.

Mr. Boynton stated this is a renewal and they have done an awesome job collecting and reporting.

Ms. White moved that the Board authorize the Chair to execute the contract with Pro-EMS Solutions as presented. Mr. Alessandri seconded. Discussion: Mr. Alessandri asked how long the contract was for. Mr. Boynton stated three years. Mr. Crowley asked if the Fire Chief supports this and requested that the Chief e-mail his support to Mr. Boynton. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

Discussion: Update Capital Plan – Piano and Roads and Sidewalks

The Board reviewed the (1) December 7, 2022, letter from Medway Friends of Performing Arts (MFPA) and supporting materials to Select Board, and (2) draft Annual Town Meeting warrant.

Mr. Boynton stated we had \$52,000 unallocated from the free cash balance when we closed out the process and had allocated \$250,000 to snow and ice which will not be used. If we move the \$250,000 to Roads and Sidewalks that will fully fund that line item. The Medway Performing Arts presented to the Board in January about needs for the school Performing Arts Program. Mr. Trindade explained the need for the Performing Arts Program in the school for a baby grand piano detailing all the related uses for it. He stated we had looked at the possibility of private donations which did not work out. The program needs a baby grand piano and two other pieces of equipment, which include risers for choral performances and acoustic shells, which are put behind a group performing enhancing the experience for attendees. Mr. Crowley noted that they have raised some funds and recommended the approval of \$24,000 from free cash to support the needs of the Performing Arts Program.

Mr. Crowley moved that the Board add the musical equipment and accessories at a cost of \$24,000 to the capital plan. Ms. White seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Mr. Rossi moved that the Board increase the Roads and Sidewalks allocation to \$750,00 by adding \$250,000 to the capital article. Mr. Alessandri seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Discussion/Vote Recommendations: May 8, 2023, Special and Annual Town Meeting Warrants

The Board reviewed the (1) draft warrants, (2) memo from Barbara Saint Andre regarding zoning articles, (3) summary of bylaw amendments document, and (4) memo from the ConCom Chair and Vice-Chair regarding the proposed tree bylaw.

Special Town Meeting (STM) Warrant

ARTICLE 1: (Free Cash Transfer: Snow and Ice Deficit)

Mr. Boynton stated we do not have a deficit so this will be removed from the warrant.

ARTICLE 2: (Prior Year Bills)

Mr. Boynton stated he would like to leave this as placeholder.

Mr. Rossi moved to TBD Article 2. Mr. Alessandri seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 3: (Free Cash Transfer to General Stabilization)

Mr. Boynton stated this is the \$200,000 allocated to the general stabilization fund from certified free cash.

ARTICLE 4: (Free Cash Transfer to Tax Title Services)

Mr. Boynton stated this is to provide funding for our expanded tax title process noting we have not funded this for the past few years. This would allocate \$20,000 from free cash for the tax title process.

ARTICLE 5: (Free Cash Transfer to Police Forfeiture Account)

Ms. Pratt explained that this \$2,824.27 are moneys that we were given years ago from the federal government when they settled a criminal case. When these funds were received way back when, we did not know what they were precisely for, so we just put them into the general fund. We have now found out that there is more money available to us, but we cannot obtain the additional money until we put this prior money into an account to allow it to be spent. We need to then file reports for each year since we received that money to receive additional funds from this program. The money is not in an account that they can spend so we needed to create this account allowing them to spend the money. We can then report on it to receive the additional funds from this program.

ARTICLE 6: (Sewer Enterprise Retained Earnings Transfer)

Mr. Boynton stated articles 6 and 7 are sort of capital items but we are doing them as a trueing up on the STM warrant. We originally thought we could use \$75,000 from the Inflow & Infiltration (I&I) account but we need to maintain that in there for other projects. Ms. Pratt reported that we are spending down the I&I account quite a bit, so the sewer department needs those funds in case they have an emergency repair, as this would ensure they have the funds to complete that project. It was explained the original estimate was \$75,000 for each vehicle, but they came in at \$90,000 each.

ARTICLE 7: (Water Enterprise Retained Earnings Transfer)

ARTICLE 8: (Adjustment: Community Preservation Fund Statutory Set-Aside)

Mr. Boynton stated this is the annual Community Preservation Act funds true up.

ARTICLE 9: (Repurpose Monetary Article – School Projects)

Mr. Boynton stated this article repurposes funds from school projects the department no longer needs to complete to capital projects they are currently working on. Ms. Pratt noted they will have about \$1

million of monetary articles to address these projects. There was further explanation of the projects and costs.

Mr. Alessandri moved to approve Articles 3 through 9. Ms. White seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Mr. Rossi asked what we will do with the old truck. Mr. Boynton stated they are put out to auction to sell.

Annual Town Meeting Warrant

ARTICLE 1: (Debt Stabilization Fund Transfer)

Mr. Boynton stated this is the amount that we transfer from debt stabilization to the FY24 operating budget to support our debt exclusion. This is from the community improvement funds from Exelon and we have one more year of this funding after this year.

ARTICLE 2: (Transfer from Ambulance Receipts to General Fund)

Mr. Boynton stated this is the \$750,000 from ambulance receipts put towards the general fund. He stated we anticipate taking in \$900,000 in FY24 and the remaining funds will be used to purchase the next ambulance, which is approaching a cost of \$500,000.

ARTICLE 3: (Appropriation: FY24 Operating Budget)

Mr. Boynton stated this the operating budget that the Board has have previously approved noting no changes have been made since the Board's approval.

ARTICLE 4: (Appropriation: FY24 Water Enterprise Fund)

Mr. Boynton stated the current figures are based on the current rate system and the current budget.

ARTICLE 5: (Appropriation: FY24 Sewer Enterprise Fund)

Mr. Boynton stated the current figures are based on the current rate system and the current budget.

ARTICLE 6: (Appropriation: FY24 Solid Waste Enterprise Fund)

Mr. Boynton stated we are projected to need \$358,455 of retained earnings to balance the budget. He stated we will be discussing next steps relative to this fund at the next Select Board meeting noting we are quickly starting to eat away at the retained earnings. Last year retained earnings were \$1,083,000 and we will take \$358,455 to support next year's budget. Mr. Boynton noted we have much higher-than-expected recycling costs this year, so it all depends on what the truing up is. If we have not taken in as much as expected this year, that will also impact retained earnings. He reported that we took \$200,000 of Exelon funds when that project was approved and applied all of it to salary figures for the enterprise fund and transitioned them to the general fund. Four fiscal years ago when we thought there was going to be a \$1million reduction in state aid due to COVID, we artificially reduced our budget. We reinstituted those salaries into the enterprise fund. He noted there has been a twenty-year history of not raising rates and we will need to look at some revenue assumptions going forward.

Mr. Alessandri moved to approve Articles 1 through 6. Mr. Rossi seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)

Mr. Boynton stated this is the capital improvement list that we just added to tonight including increasing roads and sidewalks to \$750,000 and the performing arts equipment. Mr. Crowley asked about the McGovern tile replacement at \$81,000 listed here and the McGovern tile replacement noted in the STM article. He asked Ms. Pratt to make sure the total cost is a combination of these two numbers and that this is not double dipping.

Mr. Rossi moved to TBD Article 7. Mr. Alessandri seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 8: (Raise & Appropriate: Roads & Sidewalks)

Mr. Boynton stated this is the \$800,000 from taxation for roads and sidewalks.

ARTICLE 9: (Appropriation: OPEB Trust)

Mr. Boynton stated this is the annual \$300,000 to fund the Other Post-Employment Benefits (OPEB) trust.

ARTICLE 10: (Appropriation: General Stabilization)

Mr. Boynton stated this is \$100,000 from general revenue to the general stabilization fund.

Mr. Alessandri moved to approve Articles 8 through 10. Ms. White seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 11: (Capital Stabilization Transfer: McGovern School Roof Replacement)

Mr. Boynton stated this is a capital stabilization transfer of \$3,800,000 for the McGovern School roof replacement. He noted this is out to bid and we will not know that number until two weeks before Town Meeting.

Mr. Rossi moved to TBD Article 11. Mr. Alessandri seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 12: (Field Stabilization Transfer: Hanlon Track & Field Design)

Mr. Boynton stated we know that this number is \$85,5000, which will include the design of the Hanlon track and field replacement and will be funded from the field stabilization account.

ARTICLE 13: (Water and Sewer Enterprise: Fund Asset Management Plan)

Mr. Boynton stated, as we have explained at a past meeting, we are in line to receive an asset management plan. The next phase would be water, sewer, and stormwater at a cost of \$250,000. We will need to do a borrowing authorization, as the federal government has this as a reimbursable grant requiring the Town to have the funds appropriated.

ARTICLE 14: (Transfer from Ambulance Receipts to Capital Items)

Mr. Boynton stated this is to transfer \$6,000 for CPR mannequins for training.

ARTICLE 15: (Appropriation: Community Preservation Committee)

Mr. Boynton stated this is the annual Community Preservation Committee program noting there is nothing out of the ordinary. They are proposing \$60,000 for the gravestone restoration project and \$4,000 for historic property signs. Mr. Crowley asked where these funds are coming from. Ms. Pratt stated from the Historical Reserves. Mr. Crowley asked what the signs are for. Ms. White stated when the Ide House was built, etc. Mr. Crowley asked what the ten percent estimated fund revenues

represents. Ms. Pratt stated that this is her FY24 estimate of what will be received noting the STM warrant has the true-up from the last two to three years, so again in a year or two she will need to true it up.

ARTICLE 16: (Revolving Funds –Authorize FY24 Spending Limits)

Mr. Boynton stated there are no changes in the annual revolving funds.

Mr. Alessandri moved to approve Articles 12 through 16. Ms. White seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 17: (Amend Zoning Bylaws: Central Business District)

Mr. Boynton stated this is the one that we had recommended, and he appreciated the support of the PEDB. He stated that, historically, we have always requested twenty percent of affordable housing to get us to the ten percent threshold. Since we are now at the ten percent and are in a more of a maintenance mode for affordable housing, certain projects that provide benefits to the Town may come in at less than twenty percent. This gives the PEDB the opportunity by special permit to lower the affordable housing percentage from twenty percent.

Mr. Alessandri moved to approve Article 17. Ms. White seconded. Discussion: Mr. Alessandri asked if we do not change anything, it is twenty percent and that cannot currently be gotten around by special permit. Mr. Boynton confirmed. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

ARTICLE 18: (Amend Zoning Bylaws: Electric Vehicles)

Ms. Saint Andre stated this is electronic vehicle (EV) parking and the only changes they are requesting include: (1) to include municipal parking as well as industrial, commercial, and multifamily, and (2) to include a reference to the stretch code noting it is not adding any requirements. The new stretch code states that there needs to be a certain number of EV ready charging spaces. She reiterated that they are not changing the number delineated in the stretch code.

Mr. Alessandri moved to approve Article 18. Mr. White seconded. Discussion: Mr. Crowley asked if existing municipal buildings are grandfathered in. Ms. Saint Andre confirmed. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

ARTICLE 19: (Amend Zoning Bylaws: Oak Grove and Central Business District)

Ms. Saint Andre stated a lot of Oak Grove requirements also apply in the Central Business District and this article incorporates minor tweaks to the building types. She noted there is no reason to have two types of row houses defined so they will eliminate rowhouse on a separate lot, and, as part of that, they are slightly increasing some of the standards relative to the lot size and frontage. The other types of definition changes to the types of buildings are due to the need for clarity in definitions along with the inclusion of municipal buildings, which was an oversight. There is also a small amendment to the Central Business District to make them both coincide.

Mr. Alessandri moved to approve Article 19. Ms. White seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 20: (Amend Zoning Bylaws: Dimensional Regulations)

Ms. Saint Andre stated these have related dimensional changes and include: (1) adding a definition of footprint, and (2) a small exemption from the setback to allow steps, porches (not exceeding thirty

square feet), eaves, cornices, windowsills, or belt courses. She noted that residential districts cannot have an accessory building with an area greater than the area of the principal structure's footprint.

Mr. Rossi moved to approve Article 20. Mr. Alessandri seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 21: (Amend Zoning Bylaws: Agricultural Residential III)

Ms. Saint Andre stated they have established a new zoning district noting ARI is the most restrictive, ARII is less restrictive, and ARIII would be even less restrictive. There are neighborhoods in Medway, primarily in the Brentwood area, where the lots do not meet the existing zoning in the ARII district which requires 22,000 square feet, as most are 10,000 square feet so all are non-conforming. The new ARIII would have less square footage and setbacks, which would reduce the times these residents would need to go the ZBA to obtain permission. The areas included would be the Brentwood and Kenart Drive neighborhoods. All residents in those areas were sent notices and some came to the PEDB public hearing. Mr. Crowley stated this is giving relief to those residents. Mr. Hayes confirmed.

Mr. Rossi moved to approve Article 21. Mr. Alessandri seconded. Discussion: Mr. Alessandri asked if there is any intention to rezone other areas. Mr. Hayes stated this is the focus now as this was the largest area that met the intent of ARIII noting the other areas were much smaller. Mr. Crowley asked if there were any areas outside of Brentwood that were also included. Mr. Hayes stated the end of Coffee Street was also included. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

ARTICLE 22: (Amend Zoning Bylaws: Groundwater Protection)

Ms. Saint Andre stated these changes only apply in this district, which is the area around the Town wells, are mapped by state regulation and afforded special protection to protect our water supply. A prohibition on metal roofs greater than two hundred square feet was added, as the runoff can include metals and other contaminants that would leach into the groundwater. If they plan to install one greater than that, they must treat the water before it becomes runoff into the groundwater.

Ms. White moved to approve Article 22. Mr. Alessandri seconded. Discussion: Mr. Crowley asked if section p is new. Ms. Saint Andre confirmed. Mr. Crowley asked why such a small number is allowed and if we know anyone who wants to install one larger than that. Ms. Saint Andre confirmed and reiterated that this is only in the groundwater protection district. We had commercial metal roofs being installed in the Trotter Drive area and, because it was in the groundwater protection district, they had to put in treatment for runoff as mandated by the state. This now includes a requirement for residential, as it was not covered previously. She noted we are trying to be proactive to protect the water supply. There was further discussion about the roof size noting that there are types of metal roofs that are approved by the state without the need for mitigation. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

ARTICLE 23: (Amend Zoning Bylaws: Housekeeping)

Ms. Saint Andre stated number three on the list is related to Host Community Agreements (HCA) and was changed due to changes in the state law where we no longer require HCAs for marijuana establishments relative to zoning. The last one listed is related to sidewalks. Now, when developing an area, the developer must make sure the sidewalk along a public way is built or pay into a sidewalk fund or build a sidewalk elsewhere. This third option is impractical so it will be removed.

Mr. Alessandri moved to approve Article 23. Ms. White seconded. Discussion: Mr. Crowley asked if anyone has even done this third option. Ms. Saint Andre stated no. There was further discussion on the removal of this option and the reasons it is impractical. **It was voted by roll call: Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 4-0-0.**

ARTICLE 24: (Amend Zoning Bylaws: Home Based Businesses)

Ms. Saint Andre stated there are only a few substantive changes referring to some definitions including wordsmithing changes. Number six is a new section related to off street parking, which is relative to home-based businesses where trailers and vehicles cannot be located in the zoning setbacks except if there is already an existing driveway. Number seven already states no more than two Class 3 vehicles, or any Class 4 vehicles can be parked, and this adds to that that not more than one registered trailer with a maximum bed length of eighteen feet associated with the home-based business can be parked. Mr. Crowley asked why commercial was removed. Mr. Hayes stated it is a weight limit. Mr. Boynton stated we are getting exceptionally limited, this was driven by one specific resident's issue, noted this is not a major issue across town, and this grandfathered the person the resident has issue with. Mr. Alessandri asked that the PEDB provide the Board with the logic on these limitations. Mr. Boynton stated this causes a lot more enforcement requirements for the Building Commissioner. Mr. Hayes stated it clarifies some issues for the Building Commissioner. Mr. Boynton stated it does, but this is not a town-wide issue, was the result of one person coming before the PEDB and does not solve that person's issue due to the grandfathering of existing businesses.

Ms. White voted to TBD Article 24. Mr. Alessandri seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 25: (Amend Zoning Bylaws: Construction Services)

Ms. Saint Andre stated we had a couple of businesses, specifically building, plumbing, carpentry, and electrical businesses that wanted to have a showroom, office, and storage. We do not have anything in our bylaw to allow for that type of business. She noted this excludes landscape and excavation businesses. This was brought before the Board for the last Town Meeting, but it was pulled as it needed additional work. She believes all the issues raised have been addressed i.e., this is only available by special permit in the Central Business, Neighborhood Commercial, and Village Commercial districts. The only place they are proposing by right is in the industrial zones.

Ms. White moved to approve Article 25. Mr. Alessandri seconded. Discussion: Mr. Rossi asked for clarification. Ms. Saint Andre explained the rationale and which districts were by right versus by special permit. **It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.**

ARTICLE 26: (Amend Zoning Bylaws: Solar)

Ms. Saint Andre stated there were a couple of minor changes proposed based on Attorney General rulings in past few years. Now we have a provision for vegetation that states you cannot use herbicides or pesticides. We have been notified by the Attorney General that we cannot do this as this is preempted by state regulations so a brief sentence relative to that was added. The other proposed change related to ground mounted solar installations in that we were informed that you must allow for battery storage that is only incidental and necessary for the storage of solar energy generated by the solar installation.

Mr. Alessandri moved to approve Article 26. Ms. White seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Addressing the General Bylaw amendments, Mr. Trindade stated the changes were mostly clean-up of fonts and language. The only controversial one was relative to where dogs can be walked but that was not changed. Ms. White noted that for those that impact specific to departments, the departments were contacted and included in the process.

ARTICLE 27: (Amend General Bylaws: Minor Changes)

ARTICLE 28: (Amend General Bylaws: Article III Fire Department)

ARTICLE 29: (Amend General Bylaws: Article X Repairs to Private Ways)

ARTICLE 30: (Amend General Bylaws: Article XI Fire Lanes)

ARTICLE 31: (Amend General Bylaws: Article XII Penal Laws, 12.9 Roadway Access)

ARTICLE 32: (Amend General Bylaws: Article XII Penal Laws, 12.16 Dog Bylaw)

ARTICLE 33: (Amend General Bylaws: Article XIV Prevention of Leakage of Underground Fuel or Chemical Storage Tanks and Systems)

ARTICLE 34: (Amend General Bylaws: Article XV Town Clerk Fees)

ARTICLE 35: (Amend General Bylaws: Article XIX Audit Committee)

ARTICLE 36: (Amend General Bylaws: Article XXIII Town Administrator)

ARTICLE 37: (Amend General Bylaws: Article XXIV Water Use Restrictions)

Mr. Alessandri moved to approve Articles 27 through 37. Mr. Rossi seconded. No Discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the action items dated March 20, 2023.

Mr. Crowley noted there are two items that are to be addressed in April. Ms. Langley stated they are on the next Select Board meeting agenda.

Town Manager's Report

There were no items for the Board to review.

AquaHawk Technical Issues: Mr. Boynton stated there are technical issues with AquaHawk, which is a tool to give real time water consumption information to residents noting it is NOT connected to the billing system. Mr. Smith will be meeting with them in the morning, as they believe they have fixed the issue. Mr. Boynton explained this is independent software not related to billing. Ms. Johnston is working with the Superintendents on this issue, as well as an explanation document to be included in the 3rd and 4th quarter water/sewer/trash bills relative to the prior billing error.

Road Projects Update (West Street, Main Street, etc.): Mr. Boynton reported that the Main Street sidewalk work is being done and Eversource is doing their transmission line work. We will be starting

the West Street work and noted that there will need to be road closures to allow Eversource to complete their work.

Senior Center: Mr. Boynton stated work has started on the outdoor exercise area at the Senior Center. He noted the Senior Center bus lettering has been completed and should be in shortly.

Town Manager Out of Office: Mr. Boynton stated he will be out of the office as follows:

- April 7 – MSHG Meeting & Leicester Assessment

NEXT Select Board Meeting – April 18, 2023

Select Board's Reports

There were no items for the Board to review.

Mr. Rossi stated Julie Harrington was named the 2023 Community Professional of the year by the Massachusetts Recreation and Parks Association. The Board congratulated her on this achievement.

Mr. Crowley asked if there was any update about Medway Grid. Mr. Boynton stated no.

At 9:33, Mr. Alessandri moved to adjourn. Ms. White seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0.

Respectfully submitted,
Liz Langley
Executive Assistant
Town Manager's Office