

Select Board
Tuesday, 19, 2022
Town Hall – Clark Room
66 Westford St., Carlisle, MA 01741

The Carlisle Select Board met on Tuesday, April 19, 2022, at 7:00 p.m. at the Town Hall, 66 Westford Street Carlisle MA. Present were Barney Arnold-Chair, David Model-Vice chair, Nathan Brown and Kate Reid.

Not present was Luke Ascolillo.

Community Input: There were no requests.

DHCD DRAFT Guidelines - MBTA Communities:

Town Counsel Ethan Dively presented to the Select Board. M.G.L. c. 40A, §3A and the Draft Guidelines require the adoption of a zoning district with the following characteristics:

- At least 50 acres, minimum of 25 contiguous acres
- Multi-family, non-age restricted allowed as of right
- Minimum gross density of 15 units/acre = a least 750 units
- Unit capacity equal to at least 10% of housing stock—if less than 750, gross density requirement still applies
- Location with access to a transit station, downtown, village center etc. Increased flexibility for adjacent communities.

NOTE: The Draft Guidelines are not final and may be revised.

MGL CHAPT 40A, Section 3A

(a) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multifamily housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall:

(i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

(c) The department of housing and community development, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation shall promulgate guidelines to determine if an MBTA community is in compliance with this section

WHAT IS REQUIRED?

“As of right”, development that may proceed under a zoning ordinance or by-law without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

“Multi-family housing”, a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

“Housing suitable for families” means housing comprised of residential dwelling units that are not age-restricted housing, and for which there is no legal restriction on the number of bedrooms, the size of bedrooms, or the number of occupants.

LOCATION OF MULTI-FAMILY ZONING DISTRICT

“Adjacent community” means an MBTA community with no transit station within its border or within 0.5 miles of its border.

When an MBTA community has no land area within 0.5 miles of a transit station, the multi-family district should, if feasible, be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles—for example, near an existing downtown or village center, near an RTA bus stop or line, or in a location with existing under-utilized facilities that can be redeveloped into new multi-family housing

SIZE OF MULTI-FAMILY ZONING DISTRICT

“Reasonable size” means not less than 50 contiguous acres of land with a unit capacity equal to or greater than the unit capacity specified in section [the Guidelines]. Contrary to the definition, at least 25 acres must be contiguous.

“Unit capacity” means an estimate of the total number of multi-family housing units that can be developed as of right within the multi-family district...

Zoning District unit capacity for “adjacent communities” must at least equal 10% of community housing stock. Must account for zoning, restrictions, wetlands, etc. This could result in more than 50 acres required.

District-wide gross density of 15 units per acre. At least 750 units for a 50-acre district.

TIMELINE

By May 2, 2022:

- Presentation of Draft Guidelines to Select Board
- Submit community information form
- Submit updated MassGIS parcel maps if necessary

By December 31, 2022:

- Notify DHCD if no compliant district currently exists

- Submit a proposed action plan for the study, development, and adoption of multi-family zoning

By July 1, 2023:

Adjacent communities must have an approved action plan

By December 31, 2024:

Adjacent communities must adopt a compliant zoning district bylaw DHCD has received comments on the Draft Guidelines: Commenters have highlighted the difficulty of compliance for adjacent communities and communities without public sewer, and the risk that some communities will forego grant funds rather than attempting to comply

FY 21 Audit Report:

Matt Hunt from Clifton Larson Allen (CLA) presented to the Select Board. for the fiscal year ending June 30, 2021, the town received a clean audit report. Revenues from all sources for the year were approximately \$38.5 million and expenses were \$37.4 million. Certified free cash reserves were approximately \$3.16 million and the Stabilization Fund was approximately \$1.2 million. Total general fund unassigned fund balances as a percentage of total general fund revenues and other financing sources were approximately 14%, which is quite healthy. Our bond rating is Aa1 which is effectively the highest possible rate given the size of the Town. As of June 30, 2021, the Town had approximately \$14 million in long-term debt.

On June 6, 2021, Town Meeting approved an operating budget of \$31.5 million. Within this budget, \$818,000 of free cash was used to fund municipal facilities and long-term capital articles. The actual revenue projected to be generated from the property tax (including new growth) rose by 1.02%. The Town has an excess levy capacity of 3.15 million.

Matt Hunt agreed to reformat pages 53 and pages 54.

It was agreed by the Select Board to invite Matt Hunt and the Finance Director Kimberly Kane to a special Meeting for further review of the FY 2021 Audit Financials.

Town Administrator Search Update:

Select Board received a brief update from John Petrin, Community Paradigm. The submission deadline for applications was Friday, April 8, 2022. A total of 34 applications have been submitted.

The Town Administrator Screening Committee will review the applications and interview 7-8 possible candidates and recommend at least 3 to the Select Board for final interviews.

The 1st meeting for the Screening Committee is tentatively scheduled for next week pending a quorum.

Update on Timbernook program:

The members of Select Board recently conducted a site visit on Conant Land with TimberNook Director

Sherry Kenin. In attendance were Interim Town Administrator Steve Ledoux, Kate Reid, and David Model. Note: SB Chair Barney Arnold and Nathan Brown did not attend the scheduled site walk but they did walk the site separately with area residents.

The board discussed their observations and concerns regarding the impact on the Conant Land as follows:

- Tarps, tires, and debris stored around the storage units
- Trash was found in the area, plastic water bottles, and two sheds on site when the town only approved one.
- Expanded use of the Town Hall parking lot

It was agreed that the use of the Conant Land by the TimberNook program has grown beyond what the board permitted.

Interim Town Manager Steve Ledoux explained that the main concern is that the TimberNook program goes through the proper licensing process in the future.

Wayne Davis (Concord Street) asked what the town liability would be should a child get injured.

Steve Ledoux confirmed that TimberNook has the town listed on their insurance policy.

Peggy Wang, Town Clerk suggested that the Select Board create a specific set of restrictions for the operation of camp so that TimberNook and the town are in agreement about what conditions must be met for safe operation.

The Select Board discussed setting specific conditions for the TimberNook program in the short term...

TimberNook must clean up the current site on the Conant Land immediately

Restrict any program activities that negatively impact other users or cause any additional damage to the Conant Land.

Recreation Director Holly Mansfield explained that TimberNook would run under the purview of the Recreation Department similar to programs like SkyHawk, where a portion of fees collected are paid to the town and the Recreation Department handles registration. TimberNook will need to contact the Board of Health to discuss certification and to make sure that the student/staff ratio is in compliance and that all children have health certificates on file.

After careful discussion, it was agreed that the Town will assist TimberNook in finding a potential new site for the program that is better suited to the increased size of the program. If a suitable site cannot be found, the board will not allow the program to run in Carlisle this summer.

A possible location on DPW land near the Transfer Station is currently being considered.

Annual Town Meeting Preparations:

Article 22

After careful consideration, it was agreed that Article 22 needs further discussion on eligibility rules and

restrictions.

On the motion made by Kate Reid and seconded by Nathan Brown, it was unanimously VOTED to recommend no action be taken on Article 22.

Article 24.

Upon the recommendation of Town Moderator Wayne Davis, it was unanimously agreed to reformat the motions for Article 24 CPA Annual Appropriations into (2) motions.

Select Board will meet prior to Annual Town Meeting to finalize the motion.

Warrant Articles Assignments

ART-1 Consent Agenda Items	SB/Barney, chair (articles 2-13)
ART-2 Town Reports **	
ART-3 Salaries of Elected Officials **	
ART-4 Actuarial Valuation of Post-Employment Benefits **	
ART-6 Real Estate Tax Exemption **	
ART-7 FY 2023 Chapter 90 Authorization **	
ART-8 Department Revolving Funds Authorization **	
ART-9 PEG Local Access Appropriation **	
ART-10 FY23 Salary/Wage Table **	
ART-11 Accept Fire Protection Easement Stillmeadow Farm **	
ART-12 Rescind Borrowing Authority ATM -ART 17 (2019)**	
ART-13 Fiscal Year 2022 Budget Transfers	FinCom / Jim Darr
ART-14 FY23 Operating Budget	FinCom / Jim Darr
ART-15 Capital Equipment	FinCom / Jim Darr
ART-16 Municipal Facilities	MFC / Jerry Lerman, chair
ART-17 Amend Ch.59, s.5, clause 41A Senior Tax Deferral	COA / Ann Quenin, chair
ART-18 Amend Green Cemetery Fees MGL Ch.114, s.22-36 I	SB / Luke
ART-19 Approve CCHS Access Road paving and lighting	CCHSRC / Sarah Wilson
ART-20 Amend General Bylaws change name of COA	COA/Ann Quenin, chair
ART-21 Accept MGL Ch.33, s.59 re Military Pay	SB / Kate Reid
ART-22 Accept MGL Ch.32B, s.9D 3/4 - Recommend No Action	SB / Barney, chair
ART-23 Appropriation for MUNIS CASH module	FinCom / Jim Darr
ART-24 CPA Annual Recommendations	SB / Luke
ART-25 Bylaw Amendment Fall Special Town Meeting	TGTF / Rebekah, chair
ART-26 Term of Town Governance Task Force	TGTF / Rebekah, chair

Approval of Board of Health Town Meeting Recommendations

On a motion made by Nathan Brown and seconded by Kate Reid, it was unanimously VOTED to support the Board Of Health recommendation COVID-19 Safety protocols for the 2022 Annual Town Meeting.

Town Administrator’s Report:

Declaration of Surplus Property, Department of Public Works Under MGL 30B, The Select Board needs to determine that the property in question is surplus and not needed by the Town. Depending on the value, we will

either dispose of using sound business practices or auction the equipment. The Department of Public Works has determined the following equipment surplus and not needed by the Town any further:

- 1986 Ford F800 VIN# 1FDYK87U8GVA59004 (Engine tired, truck rotted, sander removed and repurposed)
- 2006 Ford F350 VIN# 1FTWF31586EB58229 (Blown engine, doors, repurposed)
- 2008 Ford F450 VIN# 1FDXF47RX8EC30874 (Blown engine, doors repurposed)

On the motion made by Nathan Brown and seconded by Kate Reid, it was unanimously VOTED that the Select Board determine that the following equipment is surplus and no longer needed by the Town:

- 1986 Ford F800 VIN# 1FDYK87U8GVA59004 (Engine tired, truck rotted, sander removed and repurposed)
- 2006 Ford F350 VIN# 1FTWF31586EB58229 (Blown engine, doors, repurposed)
- 2008 Ford F450 VIN# 1FDXF47RX8EC30874 (Blown engine, doors repurposed)

Contract Modification, Master Plan

Interim Town Administrator Steve Ledoux has executed a contract extension with the Barrett Planning Group as requested by the Master Plan Committee. The modification is not to exceed \$4,500 and is to be completed by June 30, 2022.

Comcast Franchise Renewal

A planning strategy meeting with Town Counsel and Burske Grp, our consultant regarding Comcast License Renewal is scheduled for 4/20/22 regarding the next steps.

Temporary Staffing, Select Board/ Town Administrator

An arrangement has been made with the Town Clerk to provide some clerical coverage while the Administrative Assistant is out on sick leave. Gretchen Gallimore will physically be in the Select Board office 9AM-Noon Monday through Thursday and will have our calls transferred to her in the Town Clerk office other times. Depending on budget status near the end of the Fiscal Year, we may have to look at a Reserve Fund transfer if needed.

Pheasant Hill Lane Road Conditions

The paving company is scheduled for the week of April 18th to level the road with the first coat of binder. National Grid has been notified that the gas shutoff at the intersection leaks and needs a new protective cover. Over the summer, we will address the drainage issue at the circle. We have 2 options and will discuss them with the paving company. Hopefully, the final paving will be done in early fall. We are behind schedule with paving in general for several reasons. The main issue has been the paving company not showing up or scheduling. If this occurs again, we will consider legal remedies, working with Town Counsel.

The Select Board requested that the Garden Club consult with the Historical Commission as a courtesy, even though the Historical Commission does not have jurisdiction on the green.

The First Religious Society has already approved planting the new trees

On the motion made by Nathan Brown and seconded by Kate Reid, the Select Board unanimously VOTED to

approve the planting of two new disease-resistant chestnut trees on the Town Common, contingent upon presenting the proposal to the Historical Commission for review.

Meeting with the School

On April 11, The Finance Director, Town Accountant, and Steve Ledoux met with Jim O’Shea and the School Business Manager. The focus of the discussion was redoing the chart of accounts to better work with the MUNIS system. The School has some available funds for the project. The Town has a MUNIS upgrade in the budget for the next Fiscal Year (Article 23 ATM). It was felt that the school could commence work, but it might be better to finalize a new chart after the upgrade.

On the motion made by Kate Reid and seconded by Nathan Brown, it was unanimously VOTED to approve the amended meeting minutes of March 22, 2022, and April 5, 2022.

The next regular Select Board meeting will be Tuesday, May 3, 2022.

Minutes/Warrant Approvals:

On the motion made by Kate Reid and seconded by David Model, it was unanimously VOTED to approve the Select Board meeting minutes from April 4, 2022, and March 22, 2022.

Below are highlights from last week’s approved expense warrants:

22PR21 (Town & School payroll) – total \$800,885.97
Includes fire payroll for March 2022

22TE21 (Town bills) – total \$186,255.05
\$40k Firematic Supply – fire equipment grant
\$18k Schwartz/Silver Architect – paid from the library trust fund
\$14k Pro-EMS – COVID testing (\$7k of this amount was an invoice from Jan 2022)
\$7k Drivetech – computer maintenance
\$7k Miyares & Harrington – legal
\$7k Peterson Oil – fuel
\$6k Mass Mailers Plus – printing of booklets
\$5k Nashoba Valley Tech – vocational assessment
\$4k Barrett Planning Group
\$4k Bartlett Consolidated – DPW

22SE21 (School bills) – total \$44,364.28
\$12k Milestones – tuition
\$3k Denron Plumbing & HVAC – maintenance
\$3k Direct Energy – heat
\$3k National Grid – heat

On the motion made by Kate Reid and seconded by Nathan Brown, it was unanimously VOTED to adjourn the meeting.

MEETING ADJOURNED

Approved 04252022