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TOWN OF WAYLAND

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WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
JOSEPH F. NOLAN

**Board of Selectmen
Meeting Minutes
March 13, 2017
Wayland Town Building, Large Hearing Room
41 Cochituate Road, Wayland**

Attendance: Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan

Absent: Lea T. Anderson

Also Present: Town Administrator Nan Balmer

A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect to Litigation in Pending Action regarding Boelter et al v. Wayland Board of Selectmen and 20 Millbrook Road and to Discuss Whether the Town should Pursue Legal Proceedings with Respect to the Town's Agreement with Twenty Wayland, LLC, relative to Property and Development located off 400-440 Boston Post Road; and Strategy with Respect to Collective Bargaining and Pending Litigation in regard to Sams-Lynch v. Town of Wayland, if an Open Meeting may have a Detrimental Effect on the Litigating or Bargaining Position of the Public Body At 6:34p.m., C. Karlson moved, seconded by M. Antes, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation in pending actions regarding Boelter et al v. Wayland Board of Selectmen and 20 Millbrook Road; and to discuss whether the Town should pursue legal proceedings with respect to the Town's agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road; and to discuss strategy with respect to collective bargaining and pending litigation in regard to Sams-Lynch v. Town of Wayland. The Chair declared that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. Roll call vote: YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson. ABSTAIN: none. Adopted 4-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer. The Chair invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, School IT Director Leisha Simon, Personnel Board Chair Deb Cohen, MIIA (Massachusetts Interlocal Insurance Association) attorneys Michael Stefanilo and Lenny Kestin, and MIIA Representative Johanna Mills.

The Board returned to open session at 7:20 pm

A2. Call to Order by Chair Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:20 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

The Board announced that the Domestic Violence Roundtable white ribbon event has been postponed and rescheduled to April 11th. C. Karlson stated that the Town Warrant has started to arrive at people's houses. M. Antes stated that Candidates Night is Thursday at 7:30. The Board recognized the passing of Walter Nutting, a retired dispatcher who worked for Wayland Police/Fire for over 30 years.

A3. Public Comment

J. Dyer, Cochituate Road, told the Board that he has a suggestion for a possible site for the school busses and would appreciate if someone from the Board got in touch with him.

E. Szeman, Camp Chickami Director, introduced himself to the Board and said he was looking forward to getting involved in the community.

A4. Vote to Sign Conservation Restriction for Mainstone Farm and Vote to Extend the Closing Date for Purchase of Mainstone Farm Land Conservation Restriction to No Later Than April 15, 2017

Conservation Administrator L. Hansen said the Conservation Commission is close to signing the Conservation Restriction (CR) and hopes to get a formal vote on it soon. She said although Conservation needs to vote to sign it, they are fully in favor of it, and it's just a matter of formally voting on it. L. Jurist asked why the Board would vote on it before even seeing it. N. Balmer and L. Hansen said the CR is on the website. The Board agreed to vote on the extension of the closing date so they can read the CR in more detail. N. Balmer stated that they may have to have another vote to delay date again due to the town's borrowing schedule.

L. Jurist moved, seconded by J. Nolan, to vote to extend the closing date for the purchase of the Mainstone Farm Land Conservation Restriction from March 15, 2017 to April 12, 2017 and authorize Special Town Counsel Mark Lanza to execute an amendment to the purchase and sale agreement relative to said restriction in order to effectuate said extension. YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson. ABSTAIN: none. Adopted 4-0.

Conservation Administrator L. Hansen reported on an item in the Town Administrator's report. She had reviewed with Raytheon the proposed land donation to conservation at Town Center as a future septic reserve and it wouldn't work. She said the land would be a great contribution to the town and could be used for other things such as a pocket park.

A5. Discussion and Vote to Send Letter to Mass Housing regarding the Proposed 24 School Street Development Town Planner Sarkis Sarkisian updated the Board on the process so far and presented the Board with his memorandum. He also discussed comments submitted by Planning Board Chair D. Hill who had questions about the developer regarding transportation, protection of land and ecosystem and the developer's application. He also brought up the letter from the Wayland Housing Partnership regarding density. He said the town has until Friday the 17th to send the letter to the State. J. Nolan said the Board should make a strong case in their letter opposing it. C. Karlson said they should also mention all of the additional steps Wayland is taking in order to expand 40b on town property, especially highlight the Rivers Edge project.

The Board took public comment on the topic:

J. Hyman, Caulfield Road, discussed ten points that he felt were important to the School Street project that were not thoroughly discussed at the last meeting. Some of the issues he pointed out were application inconsistencies, the historic area location, and safety issues due to traffic. He requested an article in this town meeting to purchase the land.

M. Barber, School Street, said that a police car is usually parked there for several hours a day because of the traffic. She said she saw a lot of upset people who are terribly concerned about a possible runoff into their septic systems.

G. Bernard, Plain Street, said he has lived there since 1959 and briefly discussed the history of postponed development due to traffic issues in the area.

J. Nolan reminded everyone that the current state of the traffic intersection was an interim solution and it's not perfect. He said it's not optimal but should be put on the table for a deterrent for this kind of development.

G. Dresens, 155 Main Street, brought up a previous traffic report by Police Chief R. Irving.

C. Karlson told J. Hyman that it's legally impossible to submit an article for the Town Meeting at this point. C. Karlson asked S. Sarkisian if it's better to be open to potential 40b housing in the letter to the state. S. Sarkisian said he's seen towns do it both ways. He said ultimately they are going to do what they want to do.

C. Karlson said that ultimately MassHousing should not be making a decision based on inaccurate information, which is what they have with the developer's application. The Board also went over the other issues they will be including in the letter to the state, including wetlands, traffic, density and character of the neighborhood. The Board asked S. Sarkisian to ask MassHousing for an extension to March 21st so they can write a letter and approve it at the next meeting.

A6. Discussion and Potential Vote on Annual Town Meeting Articles, Errata and Handouts

N. Balmer said there will be some minor changes. C. Karlson asked that the Town Clerk provide information on volunteers who have surpassed 20 years of service so they can be recognized at Annual Meeting. N. Balmer said she will get in touch with Town Clerk.

M. Antes moved, seconded by L. Jurist, to support Article 5. YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson. ABSTAIN: none. Adopted 4-0.

A7. Vote to Sign Annual Town Meeting Warrant M. Antes moved, seconded by J. Nolan, to sign the 2017 Annual Town Meeting warrant. YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson. ABSTAIN: none. Adopted 4-0.

A8. Minutes: Review and Vote to Approve Minutes of March 6, 2017 The minutes of March 6, 2017, were not ready to be approved.

A9. Review and Approve Consent Calendar (See Separate Sheet) M. Antes moved, seconded by J. Nolan, to approve the consent calendar. YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson. ABSTAIN: none. Adopted 4-0.

A10. Review Correspondence (See Separate Index Sheet) The Board reviewed the week's correspondence. M. Antes said she was sorry to see resignation of Michael Connors. The Board thanked him for his service.

A11. Report of the Town Administrator

N. Balmer updated the Board on her quest to pay for additional legal costs through a reserve fund transfer. She said the Finance Committee will once again consider funding it on March 27th. She said it may recommend a current year transfer approved by Town Meeting. She said she is also looking at other ways to fund this, including looking at costs already incurred if the Board agrees to that.

N. Balmer said Neil Phelan of Revolutionary Medical wants to meet with her and some department heads about possibly having a medical marijuana dispensary in Wayland. She said zoning does not list such a facility as an allowable use but an applicant could argue it could fit into town zoning as a health clinic or a retail use. She said she will meet with N. Phelan to learn more. N. Balmer said Town Counsel advises that if a medical marijuana dispensary is in town, then the town is required to have at least one recreational retail outlet.

C. Karlson said the article at Town Meeting on prohibition will give them a good sense of how residents feel about recreational marijuana.

N. Balmer discussed the memo by the Town Planner and Chair of the Planning Board that states the legal steps followed for the street acceptance article. She also presented a new customer service tool to assist building permit applicants to understand the steps they have to take. The Board gave N. Balmer suggestions on how to improve the document.

A12. Selectmen's Reports and Concerns

M. Antes discussed the land purchased by Raytheon that was transferred to Great Meadows on December 28, 2016. She updated the Board on the various issues brought up at the Massachusetts Municipal Association meeting she attended, most notably the public records law. She said municipalities were asked how the new law was going in their community but most said it was too early to tell.

A13. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any

The Chair said, "I know of none."

A14. Adjourn There being no further business before the Board, L. Jurist moved, seconded by L. Anderson, to adjourn the meeting of the Board of Selectmen at 8:45 p.m. YEA: M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: L. Anderson. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of March 13, 2017

1. Email of 3/13/17 from the Sudbury-Wayland-Lincoln Domestic Violence Roundtable re: Postponement of White Ribbon Campaign due to Weather Concerns
2. Memorandum of 3/10/17 from the Massachusetts Municipal Association to State Officials re: Support for Funding in Municipal and School Aid Programs in Fiscal Year 2018

Items Included as Part of Agenda Packet for Discussion During the March 13, 2017 Board of Selectmen's Meeting

1. Memorandum of 3/13/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Mainstone
2. Memorandum of 3/10/17 to Board of Selectmen re: Minutes of March 6, 2017, not Available for Packet
3. Report of the Town Administrator for the Week Ending March 10, 2017