



TOWN OF WAYLAND

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BOARD OF SELECTMEN
THOMAS J. FAY
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CHERRY C. KARLSON
CAROL B. MARTIN
DAVID V. WATKINS

BOARD OF SELECTMEN

Meeting Minutes

Executive Session

Monday, February 28, 2022

4:45 p.m.

Wayland Town Building
41 Cochituate Road, Wayland, MA

Attendance: Tom Fay, Cherry Karlson, Dave Watkins, Carol Martin

Absent: Adam Gutbezah

Also Present: Stephen Crane, Acting Town Administrator; John Bugbee, Assistant Town Administrator; Sarkis Sarkisian, Town Planner; Amy Kwesell, Town Counsel; Gretchen Schuler, Community Preservation Committee chair.

Purpose: At 4:54 p.m. T. Fay called the session to order by unanimous roll call vote of the Board (YEA: D. Watkins, C. Martin, C. Karlson, T. Fay. NAY: none. ABSENT: A. Gutbezah. ABSTAIN: none. Adopted 4-0-0.) in open session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to litigation related to David Bernstein v. Planning Board of Wayland et al; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the purchase of Launcher Way property; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to Trustees of the Residences of Oxbow v. Town of Wayland and pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of February 16, 2022, with the intent to hold said minutes.

The Board moved to the Planning office for the executive session.

Bernstein: A. Kwesell participated remotely by phone and confirmed she could discuss confidential matters in private. She reviewed the status of settlement discussions and reported [REDACTED]

D. Watkins confirmed that the traffic values remain as stated in the judgment. C. Karlson confirmed that traffic growth is also as stated in the judgment. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

At 5:08pm, A. Kwesell left the meeting.

Launcher Way: G. Schuler and S. Sarkisian joined the meeting in person. S. Sarkisian explained that the appraisal is still in process and will cover the following scenarios:

- Rehabilitation of the existing properties for sale
- Rehabilitation of the existing properties for rent
- Full development of the parcel, likely 5 houses

D. Watkins requested a fourth approach that would be rehabilitation with 15% addition per the zoning passed at town meeting.

The Board discussed the legal limitation of paying no more than the appraisal and the need to keep the appraisal amount confidential. It was agreed that only S. Crane would receive the appraisal on behalf of the Board. An appraisal is generally good for six months.

The attendees discussed how to craft the town meeting article to purchase Launcher Way with Community Preservation Act (CPA) and Municipal Affordable Housing Trust (MAHT) funds and whether the dollar amount could be a larger number with the understanding that the bid would be limited to the appraised amount.

C. Karlson and G. Schuler will draft the article comments for discussion in public session by the Board, CPC and Finance Committee. S. Sarkisian reported there is no apparent activity on the part of the property owner, Department of Defense, to put the land out to bid in the first or second quarters of 2022. Attendees agreed that getting approval of the town meeting article would allow flexibility in crafting a bid. Town counsel's input is needed when it is time to actually develop the bid with CPA and MAHT funds.

G. Schuler left the meeting at 5:44pm.

Oxbow: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- [REDACTED]
- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Minutes: The Board reviewed the draft minutes of February 16, 2022. C. Karlson moved, seconded by C. Martin, to approve and hold the minutes of February 16, 2022. Roll call vote of the Board: YEA: C. Karlson, D. Watkins, C. Martin, T. Fay. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

Exit Executive Session: At 6:07 p.m., C. Karlson moved, seconded by D. Watkins, to exit Executive Session. Roll call vote of the Board: YEA: D. Watkins, C. Karlson, C. Martin, T. Fay. NAY: none. ABSENT: A. Gutbezahl. ABSTAIN: none. Adopted 4-0.

Documents provided:

1. Settlement Agreement and Release dated July 11, 2018 between the Town and the Trustees of The Residences At 89 Oxbow Condominium Trust.
2. [REDACTED]
3. Hancock Associates January 27, 2022 report with exhibit
4. [REDACTED]