

**PACKET**

**AUGUST 27**

**2018**



NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

**REVISED**  
**BOARD OF SELECTMEN**  
**Monday, August 27, 2018**  
**7:00 p.m.**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road**

### Proposed Agenda

*Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. The meeting likely will be broadcast and videotaped for later broadcast by WayCAM.*

7:00 pm 1. Call to order by Chair

- Review of agenda for the public

7:05 pm 2. Executive Session: Enter into Executive Session

- I. Pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to collective bargaining and impact bargaining with Wayland Police Officers Union and International Association of Firefighters, Local 1978 and,
- II. Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Rivers Edge Project at 484-490 Boston Post Road and,
- III. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 a (2), (3) and (6) to review and approve the executive session minutes of July 16, 2018; July 23, 2018 and August 6, 2018

APPROVE AND HOLD: Executive Session minutes of ~~July 16, 2018 and August 6, 2018~~

APPROVE AND RELEASE WITH REDACTIONS: Executive Session minutes of July 16, 2018 and July 23, 2018.

8:05 pm 3. Announcements and public comment

## **BOARD OF SELECTMEN**

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### **Proposed Agenda – Page Two**

8:10 pm 4. Ballot Question Language: Vote to approve ballot question language for October 2, 2018 Special Election to decide whether the Town will adopt a prohibition against marijuana establishments in Wayland

8:20 pm 5. Special Town Meeting: Discuss potential articles; potential vote to submit additional articles:

#### **ANTICIPATED ARTICLES:**

- a) Pay Previous Year Unpaid Bills
- b) Current Year Transfers
- c) Clarification of 2008 Special Town Meeting Article re: Circuit Breaker
- d) Initial Year Funding of Town Successor Collective Bargaining Agreement for Police Union
- e) High School Stadium Complex Renovation
- f) High School Tennis Courts / Softball Field Reconstruction
- g) CPA: Partial Construction of WHS Athletic Facilities
- h) Construction of Synthetic Turf Athletic Field at Loker Conservation and Recreation Area
- i) Zoning By-Law: Prohibition of Marijuana Establishments
- j) Zoning By-law: Marijuana Establishment –District A – Boston Post Road
- k) Zoning By-Law: Marijuana Establishment –District B – Mixed Use Overlay District (Town Center)
- l) Zoning By-Law: Marijuana Establishment –District C – Cochituate Village
- m) Zoning By-Law: Marijuana Temporary Moratorium to December 2019
- n) Zoning By-Law: Amend Flood Plain Maps
- o) Zoning By-Law Pre-existing non-conforming use of land with 6 more dwelling units
- p) Convert Access Easement to Access and Utility Easement on Happy Hollow Access Road off Stonebridge Road
- q) Purchase and Implement Automated Meter Reading Infrastructure
- r) Affordable Housing
- s) Petitioner's Article: Voting at Town Meeting
- t) Petitioner's Article: Community Garden
- u) Petitioner's Article: Topic Unknown

#### **NEW, POTENTIAL ARTICLE**

- v) Appropriate Funds for Abatement of Asbestos at Rivers Edge Site

**BOARD OF SELECTMEN**

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**Proposed Agenda – Page Three**

- 9:00 pm 6. Town Administrator's Report (None)
- 9:05 pm 7. Executive Session Minutes: Vote to release with redactions  
Executive Session Minutes of July 16, 2018 and July 23, 2018.
- 9:10 pm 8. Consent Calendar: Review and vote to approve (see separate sheet)
- 9:15 pm 9. Correspondence Review
- 9:20 pm 10. Selectmen's reports and concerns
- 9:25 pm 11. Topics not reasonably anticipated by the Chair 48 hours in advance of  
the meeting, if any
- 9:30 pm 12. Adjourn



# TOWN OF WAYLAND

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4.) Ballot Question

NAN BALMER  
TOWN ADMINISTRATOR  
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BOARD OF SELECTMEN  
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DOUGLAS A. LEVINE

Date: August 27, 2018

To: Beth R. Klein, Town Clerk

From: Board of Selectman

Re: Ballot Question for Special Town Election, Tuesday October 2, 2018

At a meeting held on August 27, 2018, by a vote of \_\_\_\_\_ the Board of Selectman voted to place the following question on the ballot at the October 2, 2018 Special Town Election:

Shall the Town of Wayland adopt the following Zoning Bylaw?

**Summary:** Massachusetts General Laws, Chapter 94G, Section 3, allows a town, through adoption of a bylaw, to prohibit all or certain types of adult use (recreational) marijuana establishments from operating in that town. In a town such as Wayland that voted "yes" on Question 4 at the November 8, 2016 State Election in favor of the legalization, regulation and taxation of marijuana, a ballot question is also required to implement such a prohibition. In this case, the Zoning Bylaw amendment set forth below, which is on the Warrant for the November 13, 2018 Special Town Meeting, would prohibit marijuana establishments, as that term is defined in G.L. c.94G, §1 and 935 CMR 500.00, in the Town of Wayland.

## ARTICLE 8 DIMENSION AND USE TABLES

### §198-803 Classification of Principal Uses

#### 803.5 Prohibited Uses

803.1.5.8 Consistent with G.L. c. 94G, Section 3(a)(2), all types of adult use (recreational) "Marijuana Establishments" as defined in G.L. c. 94G, §1 and 935 CMR 500.00, including marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, marijuana retailers, independent testing laboratories, marijuana research facilities, marijuana transporters or any other type of licensed marijuana-related businesses shall be prohibited within the Town of Wayland.

YES \_\_\_\_\_

NO \_\_\_\_\_

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**BOARD OF SELECTMEN**  
**Monday, August 27, 2018**  
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**CONSENT CALENDAR**

1. Vote the question of approving the sixth extension of the Rivers Edge Land Disposition Agreement to February 28, 2019

1.) Rivers Edge



DEPARTMENT OF PUBLIC WORKS  
TOWN OF WAYLAND

Entrusted To  
Manage The  
Public  
Infrastructure

Thomas M. Holder  
*Director*

Joseph Doucette  
*Superintendent*

Don Millette  
*Superintendent*

Paul Brinkman  
*Town Engineer*

To: Board of Selectmen  
From: Paul Brinkman, Town Engineer  
Date: August 22, 2018  
Subject: Rivers Edge Project Update

Currently the existing (Fifth) amendment to the Land Disposition Agreement (LDA) is set to expire on August 31, 2018. The proposed amendment (Sixth) will extend the date by six months to February 28, 2019. A six-month extension was determined upon the expected length of time that will be required to coordinate asbestos management and disposal planning/permitting with the Massachusetts Department of Environmental Protection (MassDEP) and to complete the asbestos clean-up process. The developer Wood Partners is amenable to extending the date by six months.

A longer period will reduce the likelihood of a future interim amendment for the Due Diligence and provide adequate time for the Town to undertake the clean-up. The extension of the LDA date will not extend the Due Diligence period longer than allowed under the original LDA as there is nearly 90 days remaining on the original Due Diligence schedule.

Some of the events that have taken place since the last amendment to the LDA include:

1. Coordination of the site investigations with the MassDEP. The Town met with MassDEP to discuss the approach to the Non-traditional Asbestos Work Plan (NTWAP) and the investigations required to move the project forward.
2. Sampling plan prepared and approved by MassDEP.
3. Test pits and additional sampling were completed July 16 through 18.

**PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMENT FROM AUGUST 17, 2018 THROUGH AND INCLUDING AUGUST 23, 2018, OTHERWISE NOTE LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR AUGUST 27, 2018**

**Items distributed to the Board of Selectmen – August 17, 2018 – August 23, 2018**

None

**Items distributed for information and use by the Board of Selectmen at the Meeting of August 20, 2018**

1. Fiscal 2018 Budget Status Report
2. Wayland Citizens Academy

**Items included as part of the Agenda Packet for discussion during the August 27, 2018**

1. Ballot Question for Special Town Election, Tuesday, October 2, 2018



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**CORRESPONDENCE**

1. Correspondence from resident Laurie Profit to the Board of Selectmen, dated July 7, 2018 re: Agrees with the banning of recreational marijuana; change in school start times; King & Mitchell Street traffic issue.
2. Correspondence from resident Laurie Profit to the Board of Selectmen, dated July 18, 2018 re: Banning door-to-door "Trick or Treating" and celebrating at the middle school, Happy Hollow and Claypit Hill as well as the Town Building; let younger children "Trick or Treat" during the day.
3. Correspondence from resident Laurie Profit to the Board of Selectmen, dated July 2, 2018 re: Issues/concerns with the Wayland Public School System; suggestion of implanting summer break plan similar to the Town of Orange.
4. Correspondence from Andrew Harding, Interim Chief Executive Officer, MetroWest Medical Center to Lea Anderson, Chair, Board of Selectmen, dated August 14, 2018 re: Proclamation request
5. Correspondence from Benson Gould, Principal, CMG Environmental Services, to Nan Balmer, Town Administrator, dated August 14, 2018 re: Notice of Phase I – Initial Site Investigation, River's Edge Development, 484 Boston Post Road, Wayland, MA, Release Tracking Number (RTN) 3-34474 CMG ID 2017-160
6. Correspondence from Julia Junghanns, Director of Public Health, dated August 20, 2018 re: Wayland Board of Health Director's Report