

Hull Board of Selectmen

Minutes

November 9, 2017

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Thursday evening, November 9, 2017, at Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: Kevin Richardson, Chair; Chris Mitchell, Vice-Chair; Domenic Sestito, Clerk; Jennifer Constable, Member; and John Reilly, Member. Also present were Town Manager Phillip Lemnios and Town Counsel James Lampke.

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APPOINTMENTS

Town Manager, regarding solid waste task force

Lemnios discussed the establishment of a solid waste task force to examine the feasibility of implementing a town trash and recycling program. The committee he recommended would include representatives from the Board of Selectmen, the Board of Health, and the Advisory Board, as well as the DPW director, the Public Health director, the Town Manager, and two members of the public. This would explore a program model, a financial model, and residents to be served. Lemnios noted that that implementing such a service would be a complicated process and would require public hearings, as well as possibly the creation of an enterprise fund, which is a Town Meeting action.

Motion	Reilly	Motion to establish a solid waste task force consisting of a member of the Board of Selectmen, and an alternate, a member from the Board of Health, a member from the Advisory Board, two members of the public, the Public Works director, the Public Health director, and the Town Manager. The term limit would be one year, with a midterm report in six months.
Second	Mitchell	
Vote	Unanimous	

Motion	Reilly	Motion to appoint Chris Mitchell to the committee, with Richardson as an alternate.
Second	Sestito	
Vote	Unanimous	

LICENSING/APPROVAL

The board received a letter from Mike Dionne, permit director of the Ragnar relay race, regarding permission to begin the race in Hull on Friday, May 11, 2018. The set-up for the race is on May 10. There will be the same noise controls as in previous years.

Motion	Sestito Amendment by Reilly:	Motion to approve the Ragnar relay race. To include the final sign-off of the Police Chief, Fire Chief, Town Manager, and Town Counsel.
Second	Constable	
Vote	Unanimous	

Thornton’s Market regarding liquor license transfer

This was a public hearing regarding the transfer of the liquor license from Thornton’s Market, dba Riddles Supermart, 505 Nantasket Avenue, to EAM Market, Inc., dba The Village Market, with James McInnis as the proposed manager.

Lampke said this was a straight forward transfer of the license. Those wishing to speak were sworn in. Attorney Megan Hall from Dunn Law Group, representing Thornton’s Market, stated that there were no significant changes to the license and that notices had been sent to all abutters.

James McInnis was present at the meeting. He stated that he has been in the supermarket business for 50 years and currently owns two markets, one in Scituate Harbor and one in Roslindale Square. He stated that the Scituate location sells beer and wine, but he has experience with a full liquor license from past work at Stop & Shop in Cambridge. The store hours will be 7 a.m. to 9 p.m. seven days a week in the winter, and 7 a.m. to 10 p.m. seven days a week in the summer. They are planning for a November 16 passing of papers with an early December opening. The store will be called The Village Market and is currently hiring and is taking applications, with 40-50 full and part-time employees expected. Constable encouraged local hiring.

Reilly pointed out that when the license was initially granted, the board had in mind that the license would be for sale of liquor as an accessory to the supermarket, and wanted to be sure that they kept this in mind. McInnis said he wants the establishment to be known as a supermarket, not a liquor store. Lampke asked if he was planning on changing the location of the alcohol in the store. McInnis said that he was not. Lampke pointed out that per state law, hours for sale of liquor cannot begin earlier than 8 a.m., Monday through Saturday, and at 10 a.m. on Sunday.

Richardson welcomed the market to town, and also expressed gratitude to Mike Sears for his work in and for the town. Sears, former owner of Riddles, was at the meeting and expressed gratitude to the town for its support over the years. He stated that he feels fortunate to have McInnis stepping in and that he fully supports McInnis and his family in their taking over the store.

Lemnios thanked McInnis for investing in the community and encouraged him to communicate with the town on any issues or problems.

Motion	Reilly	Motion to approve the transfer of liquor license for annual retail package store to EAM Market, Inc., dba The Village Market, James McInnis, proposed manager. Hours will be according to state law 8 a.m. to 10 p.m., Monday through Saturday, and Sunday 10 a.m. to 10 p.m. for alcohol
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		sales, with a stipulation for the transfer of the license that the Planning Board's site plan review decision's order of conditions will be attached to the liquor license. The applicant will also provide a floor plan of where alcohol will be located in the store, meet with abutters, and also provide a contact number for abutters if there should be any questions, complaints, or concerns. Regular store hours will be from 7 a.m. to 10 p.m. [This will be prior to exercising the license.]
Second	Sestito	
Vote	Unanimous	

Motion	Reilly	Further move to approve the pledger of the license to Hingham Institute of Savings with the proviso that the pledgee may not exercise the license without the prior approval of the Board of Selectmen and the ABCC.
Second	Mitchell	
Vote	4-0-1	Richardson - Aye Reilly - Aye Sestito- Aye Mitchell- Aye Constable: recused

The hearing was closed at 8:06 p.m. Reilly noted that any outstanding expenses owed to the town will be collected once the sale is completed.

Motion	Reilly	Motion to authorize Thornton Market, dba Riddles, to be able to close on November 11, up until the point that the property and the business is transferred.
Second	Sestito	
Vote	Unanimous	

Richardson noted that the police chief had reviewed and signed-off on the transfer.

The board took a recess at this time.

Mitch Buck, Woods Hole Group, regarding flood insurance update

Bob DeCoste, chairman of the HRA, and Bartley Kelly, Vice-Chair of the HRA were at the meeting to present to the board the results of Woods Hole Group's work on the town's FEMA flood maps. He stated that in 2015, the town

and HRA had decided to do an assessment to see if the FEMA maps could be changed. Woods Hole Group conducted a thorough review of the town's flood maps and requested review of their results by FEMA. As a result of this work, DeCoste said, starting on Dec 13, 950 homes or condos, comprising 25% of the town, will be affected positively by changes that were achieved in the flood maps.

Mitch Buck, of Woods Hole Group presented the following information to the board.

- Phase one was an initial feasibility study which reviewed FEMA documents, modeling results, and data to evaluate feasibility of filing a Letter of Map Revision (LOMR).
- Based on this, Woods Hole group reanalyzed 16 transects, and a LOMR was submitted to FEMA with revisions to 13 transects. (Engineering analysis determined that three of the 16 transects would not see a beneficial impact.)
- As a result, approximately 1,077 properties will see a positive change to their flood zone and/or base flood elevation (BFE) while 27 properties will potentially see a negative impact. Upward of 1,077 properties will see a reduced BFE and approximately 100 properties will have a change in their flood zone.
- The new maps become effective on December 13, 2017.
- Letters will be issued to 27 properties that may see a negative change in their flood zone or BFE.
- Public informational meetings will be held in the spring.

Kelly pointed out that if any point of a flood zone touches a house, that is the level at which their insurance will be calculated. Lemnios and Kelly pointed out that flood insurance is dependent on many factors and insurance rates will not change equally. Lemnios stated that the town engaged in this process because it didn't believe that the previous maps reflected an accurate representation of what actually happens. He noted that residents should keep in mind that all flood insurance will be going up because of the status of the federal flood insurance system.

Kelly added that most people who have flood insurance recently got letters from FEMA informing them that their flood insurance will be going up and recommending that they get an elevation certificate done, which may help them take steps to drop their premium.

Lemnios noted that flood insurance impacts both the quality of life in town and the real estate market. He thanked the Woods Hole Group for its work.

The full presentation is available on the HRA and town's websites. Residents who would like to know whether their zones have changed should contact the building department for more information.

The board took a short recess at this time.

Selectman Sestito, regarding marijuana update

Selectman Domenico Sestito provided the board with an update on the ongoing changes to marijuana laws and how they will be implemented in Hull. He stated that the Marijuana Task Force has met several times and has drafted a public engagement plan with four proposed sessions designed to foster an in-depth discussion about marijuana. Proposed sessions are as follows:

- January: Legal overview; retail and medical status; local excise tax; actions regarding retail operations.
- February: Planning Board considerations; proposed draft zoning bylaw.
- March: General public discussion; economic potential; feedback from Planning Board, schools, and public safety.
- April: Pre-Town Meeting refresher.

Sestito said that the Planning Board will be having its own public hearing, in addition to the above.

Lampke said that the town will have to accelerate the schedule because the state Cannabis Control Commission will begin accepting applications from potential business owners on April 1 and will then be contacting communities to see what their restrictions are. Therefore, the town should enact any desired bylaws before April 1. This will

necessitate a Special Town Meeting and a special election. He stated that it is still possible that the state may change its timeline in order to give e communities more time to adopt local regulations.

Lemnios pointed out that these decisions do not affect personal use of marijuana and are not directed at banning marijuana, but rather are about the best way for the town to implement the legal changes in terms of retail and commercial activity. Richardson added that residents voted for legalization of marijuana, but not necessarily for its sale within the town. Lemnios said that some towns that had voted for legalization had subsequently voted not to have retail sales in their towns.

Richardson suggested combining two of the task force’s meetings in order to move up the schedule. Constable suggested holding Saturday sessions rather than weekday evening sessions.

The board will further discuss this next week.

[Note: A request for a dune opening that was on the agenda was moved to Executive Session.]

LICENSING/APPROVALS, CONTINUED

The board discussed a license request from John Boyd for permission to install a bayside deck on his 4 Sunset Avenue property. He has approval from the Conservation Commission and a Chapter 91 application is in process. He would like permission to rest the deck on the seawall. A plan to the project was provided. Lampke stated that a license would include the 30-day removal clause for the town. Lemnios added that these are historically subject to the applicant securing all necessary permits.

Reilly said that this is a large deck and he has noticed that projects like this seem to be getting bigger. Sestito asked if it might be helpful for the board to consider size limits. Richardson suggested not voting until next week so that members of the board can view the property. Lampke pointed out that it is a large property with a large amount of frontage.

NEW BUSINESS

Constable stated that she had attended the MAPC legislative committee meeting. She said that it is supporting two bills regarding creative economy. One exempts one-of-a-kind art pieces from sales tax in cultural districts, and the other supports a statewide creative economy master plan.

She also said that on looking through recent quarterly reports from boards and committees, and there are a number of vacancies and reappointments, one of which is for the Economic Development Committee’s representative from the Board of Selectmen. The board voted as follows:

Motion	Richardson	Motion to appoint Domenico Sestito to the Economic Development Committee with Chris Mitchell as alternate.
Second	Reilly	
Vote	Unanimous	

Constable further asked if the board can get a comprehensive listing of reappointments and vacancies. The board discussed a uniform process for appointing and reappointing committee members.

The board further voted on the appointment to the vacancy on the Capital Planning Committee. The candidates are Dick Kenney and Gerry Whelan.

Motion	Sestito	Motion to appoint Dick Kenney to fill Joan Meschino’s open position as public representative at large for an unexpired term, based on when it expires.
Second	Constable	
Vote	Unanimous	

Mitchell thanked the Town Manager and the light plant for its work during the last storm. Reilly stated that many people had expressed appreciation for Chief Russo’s storm and power outage updates on Facebook.

Richardson announced that the Veterans Day ceremony is on Saturday at 11 a.m. at the Mary Jeanette Murray bathhouse, with a collation to follow at the Knights of Columbus hall.

EXECUTIVE SESSION

At 9:25 p.m., Richardson asked for a motion to go into Executive Session to discuss the reputation, character, physical condition or mental health of an individual, to go into Executive Session to discuss strategy with respect to litigation and that the Chair declares that an open meeting may have a detrimental effect on the litigating position of the body; to comply with, or act under the authority of the Attorney-Client privilege; and to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.

Matters to be discussed were:

- Slawsby v hull
- Cummings v hull
- Saunders v hull

Motion	Mitchell	So moved
Second	Sestito	
Vote	Unanimous	Richardson – Aye Constable – Aye Mitchell – Aye Reilly – Aye Sestito – Aye

The open meeting was adjourned at 9:30 p.m. The board is scheduled to meet next at 7:30 p.m. on Thursday, November 16, 2017.

Recorded by Catherine Goldhammer

Approved by:

Documents

The following documents were included in the Board of Selectmen's packets or were presented during the meeting and are available in the Board of Selectmen's office upon request:

- Board of Selectmen's agenda and added agenda for November 9, 2017
- Solid waste task force proposal
- Letter from John Boyd regarding deck
- Change of license application and packet from EAM Market, dba Village Market
- Letter from Mike Dionne regarding Ragnar relay race