

**BOARD OF SELECTMEN  
MEETING MINUTES – March 12, 2018**

7:00 p.m. - Selectmen's Meeting Room, 63 Main Street, Northborough, MA

**MEMBERS PRESENT:** Jason Perreault, Chairman  
Jeff Amberson, Vice Chairman  
Leslie Rutan, Clerk  
Dawn Rand  
William Pantazis

\*Pledge of Allegiance

**APPROVAL OF MINUTES – FEBRUARY 26, 2018 REGULAR MEETING**

Selectman Rand moved the Board vote to approve the meeting minutes of the February 26, 2018 regular meeting as submitted; Selectman Rutan seconded the motion; all members voted in favor.

**7:00 p.m. - SENATOR HARRIETTE L. CHANDLER  
STATE REPRESENTATIVE DANIELLE W. GREGOIRE  
STATE REPRESENTATIVE HAROLD P. NAUGHTON**  
Discussion of Legislative Priorities.

In preparation for tonight's meeting, letters were sent to the State Delegation advising them of Northborough's legislative priorities. At the request of the Board, Senator Chandler and Representatives Gregoire and Naughton were present. Senator Eldridge was not able to attend. Also present in the audience were School Superintendent Christine Johnson, School Business Director Matthew Wells and School Committee Member Patricia Kress.

Mr. Coderre reviewed the top two municipal legislative priorities relating to Chapter 90 Roadway Repair Funding and Other Post-Employment Benefits (OPEB) Legislation Reform. School Superintendent Christine Johnson spoke to the top legislative priority relating to the State Special Education Circuit Breaker Program.

Senator Chandler and Representatives Gregoire and Naughton spoke to each of the priorities discussed above. Each offered their support and their commitment to continue to advocate on behalf of the Town and the School District.

Following questions and comments from members of the Board, Mr. Coderre recognized residents in the audience that were present in support of Senate Bill No. 407 regarding Agricultural Composting. The legislation filed by Senator Chandler seeks to shift oversight of all Department of Agricultural Resources registered compost operations to the Department of Environmental Protection (DEP) to ensure compliance with DEP Standards. Senator Chandler reported that the Bill was reported out favorably by the Joint Committee on Environment, Natural Resources and Agriculture and will go to the full Senate for debate.

Members of the Board thanked the Legislators for coming in this evening and for always being attentive to the needs of Northborough. Senator Chandler thanked Mr. Coderre for his efforts in continuing this annual process.

**8:00 p.m. - PUBLIC HEARING**

To consider proposed amendments to the Town Code by the addition of a general bylaw, Chapter 2-14, Marijuana, which would prohibit marijuana establishments, the sale of marijuana accessories, and medical marijuana treatment centers in Town.

Town Planner Kathy Joubert reviewed the process leading up to tonight's public hearing. It was noted that the process to prohibit both recreational and medical marijuana began in October 2017 and has been discussed publicly by both the Board of Selectmen and the Planning Board as posted agenda items. Chairman Perreault then provided regular updates on the subject at each Selectmen's Meeting under his report.

Ms. Joubert reviewed the two warrant articles to be presented to Town Meeting, a general bylaw by the Board of Selectmen and an identical zoning bylaw by the Planning Board, both prohibiting recreational and medical marijuana establishments, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related business and on marijuana establishments specifically engaged in the on-site social consumption of marijuana or marijuana products. Ms. Joubert added that a zoning article will be included on the warrant regulating recreational and medical marijuana establishments in the event the articles prohibiting the use are defeated.

Members of the Board expressed their support of this bylaw and expressed their appreciation to Town Planner Kathy Joubert for her efforts. Mr. Coderre reiterated that tonight's public hearing is being held for the purpose of seeking public opinion on the general bylaw only. The Planning Board held a public hearing on the zoning warrant articles for the same purpose at their March 6, 2018 meeting.

The Board heard unfavorable comments and concerns from the following audience members: Tom Sullivan – 9 Smith Road; Brian Russell – 10 Hillside Road; Ann St. John – 48 Main Street; David O'Toole – 39 Whitney Street; and David Thompson – 284 Davis Street.

The Board heard favorable comments from the following audience members: Karen Tucker – 1 Treetop Circle and Kerri Martinek – 16 Hemlock Drive. Ms. Martinek noted that she was the organizer and representative of the Northborough Opt-Out Group with approximately 550 members.

Selectman Rand moved the Board vote to close the public hearing Selectman Rutan seconded the motion; all members voted in favor.

**8:45 p.m. - CONTINUED PUBLIC HEARING – From February 26<sup>th</sup>**

To acknowledge a request from National Grid to reschedule the continued public hearing on Petition No. 23502796 (Indian Meadow Drive and Agawam Drive) to the March 26, 2018 Board Meeting.

Mr. Coderre informed the Board of National Grid's request to reschedule the continued public hearing for Petition No. 23502796 (Indian Meadow Drive and Agawam Drive) to

**REQUEST TO CONTINUE THE PUBLIC HEARING CONT. . .**

the Board's March 26, 2018 meeting due to overwhelming storm restoration efforts. The abutters that were present at the original public hearing held on February 26, 2018 were notified of this request.

Selectman Rand moved the Board vote to acknowledge the request from National Grid to reschedule the continued public hearing on Petition No. 23502796 (Indian Meadow Drive and Agawam Drive) to the March 26, 2018 Board Meeting at 7:40 p.m.; Selectman Pantazis seconded the motion; all members voted in favor.

**7:45 p.m. - TWO DOORS AWAY CAFÉ**

To consider an application as submitted by Two Doors Away Café for a Common Victualler License for premises located at 249 West Main Street.

Tom Lowe and Jane Pond were present to request a Common Victualler license for Two Doors Away Café for premises located at 249 West Main Street, the former Tiltz Restaurant. Mr. Lowe owns and operates Lowe's Meat Market next door. They plan to serve breakfast and lunch Tuesday through Sunday 6am to 2pm and will serve fish on Friday evenings 5pm to 8pm.

It is recommended that the Common Victualler License be granted with the condition that the licensee receive satisfactory inspections by the Building, Fire and Health Departments.

Selectman Rutan moved the Board vote to grant a common victualler license to Jane Pond of Two Doors Away Café, Inc. for premises located at 249 West Main Street with the condition that the licensee receive satisfactory inspections by the Building, Fire and Health Departments; Selectman Amberson seconded the motion; all members voted in favor.

**7:50 p.m. - VITOR AUTO SALES, INC. DBA BARRY'S AUTO SALES**

To consider an application as submitted by Vitor Auto Sales, Inc. dba Barry's Auto Sales for the Pre-Existing Class II License for premises located at 25R Bartlett Street.

Barry Rocha, longtime owner of Barry's Auto Sales at 25R Bartlett Street was present along with the new applicant Jamie DeJesus. Ms. DeJesus is purchasing the business under Vitor Auto Sales, Inc. and will leave the business name as Barry's Auto Sales. In addition to a Class II License (for the sale of used vehicles), Mr. Rocha held a Class III License (to buy, sell and assemble junk parts) as well. Ms. DeJesus confirmed that the Class III License is no longer required for her business as she will not be buying, selling or assembling parts from used (junk) vehicles, nor will she be buying tires.

The application and site plan have been reviewed by Town Staff and there are no concerns to report.

**VITOR AUTO SALES, INC. DBA BARRY'S AUTO SALES CONT. . .**

Selectman Amberson moved the Board vote to grant a Class II License to Jamie DeJesus of Vitor Auto Sales, Inc. d/b/a Barry's Auto Sales for premises located at the 25R Bartlett Street with the following conditions:

1. All vehicle parts, tires and vehicles with visible exterior damage must be removed from the property no later than March 30, 2018.
2. The Class II License will allow for up to 58 vehicles to be stored on the property at any one time with the strict adherence to the existing parking plan dated July 2017.
3. Compliance with Massachusetts Fire Prevention Regulations and State Building Code.

Selectman Rutan seconded the motion; all members voted in favor.

**REPORTS**William Pantazis

- Thanked the DPW Department for their efforts during the recent winter storm.

Dawn Rand

- Thanked the DPW Department for their efforts during the recent winter storm.

Leslie Rutan, Clerk

- Thanked the DPW Department for their efforts during the recent winter storm.
- Encouraged residents to visit the Town website and subscribe to Town News.
- Wished the Algonquin Regional Girls Ice Hockey Team best of luck in playing Wellesley in the Division 2 Title.
- Thanked the Police Chief and Fire Chief for their monthly report.

Jeff Amberson, Vice Chairman

- Thanked the DPW, Police and Fire Departments, as well as National Grid their efforts during the recent winter storm.
- Thanked the residents for their patience.

Jason Perreault, Chairman

- Thanked the DPW, Police and Fire Departments, as well as National Grid their efforts during the recent winter storm. Also thanked Town Administrator John Coderre.

John Coderre

- Noted that since the Governor has asked that all non-essential state employees stay home during tomorrow's anticipated winter storm, he has made the decision to close Town Offices tomorrow.
- Thanked the DPW, Police and Fire Departments for their efforts during the recent winter storm.

**PUBLIC COMMENTS**

None.

**SCHEDULE PUBLIC HEARING FOR STREET ACCEPTANCE**

Selectman Pantazis moved the Board vote to schedule a public hearing on March 26, 2018 to consider the acceptance of Sterling Court as a public way; Selectman Rand seconded the motion; all members voted in favor.

**CLOSE TOWN MEETING WARRANT**

Mr. Coderre informed the Board that a Citizens Petition was received this afternoon regarding a Plastic Bag Reduction Ordinance. This petition will be added to the Town Meeting Warrant as written.

Prior to closing the Town Meeting Warrant, Mr. Coderre reminded the Board that although the intent of the articles contained on the warrant cannot be changed, there remains some incomplete information, as well as minor editing to be done by Town Counsel prior to its final posting on March 26<sup>th</sup>

Selectman Amberson moved the Board vote to close the April 23, 2018 Town Meeting Warrant; Selectman Rand seconded the motion; all members voted in favor.

**EXECUTION OF CEMETERY DEEDS 1043 & 1044**

Selectman Pantazis moved the Board vote to execute Cemetery Deeds 1043 & 1044 as presented; Selectman Rand seconded the motion; all members voted in favor.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Selectman Rand moved the Board vote to adjourn; Selectman Pantazis seconded the motion; all members voted in favor.

Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

**Documents used during meeting:**

1. March 12, 2018 Meeting Agenda
2. February 26, 2018 Meeting Minutes
3. Legislative Priorities Letter
4. Information packet – Public Hearing to prohibit marijuana
5. Email from National Grid requesting continuance of public hearing
6. Information packet – Two Doors Away Cafe
7. Information packet – Barry's Auto Sales
8. Memo – public hearing for street acceptance
9. Draft Annual Town Meeting Warrant
10. Cemetery Deeds