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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## BOARD OF SELECTMEN Monday, March 30, 2015 Wayland Town Building Large Hearing Room

### 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.*

- 6:20 pm 1.) Enter into Executive Session pursuant to: (i) Massachusetts General Laws (MGL) Chapter 30A, Section 21a(3) to discuss collective bargaining strategy in regard to the AFSCME Professional Union; and (ii) MGL Chapter 30A, Section 21a(6) to Consider the Purchase Exchange, Lease or Value of Real Property Relative to the Septage Facility; and (iii) MGL Chapter 30A, Section 21a(6) to Consider the Purchase Exchange, Lease or Value of Real Property Relative to the Town Center Municipal Parcel; and (iv) MGL Section 21a(3), to Discuss Strategy with Respect to Pending Litigation regarding the case of Twenty Wayland LLC and the Town of Wayland and the Wastewater Management District Commission and Potential Litigation by a Group of Wastewater System Users, and with Respect to Potential Litigation Regarding the Enforcement of the Judgment with Respect to Bernstein et al v. Wayland Planning Board; and (v) MGL Chapter 30A, Section 21a(3) to discuss collective bargaining strategy pertaining to the OPEB recommendation in regard to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School Custodians Union, and the Food Service Association; and (vi) to Review and Consider for Approval and Potential Release the Following Executive Session Minutes Relative to the Said Subjects:
- January 12, 2015
  - February 3, 2015
  - February 10, 2015
  - February 23, 2015
- 6:45 pm 2.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 6:47 pm 3.) Potential Vote to Approve a Memorandum of Agreement with regard to a Successor AFSCME Collective Bargaining Agreement
- 6:50 pm 4.) Potential Vote to Release Executive Session Minutes of January 12, 2015, February 2, 2015, February 10, 2015, and February 23, 2015
- 6:55 pm 5.) Public Comment

**BOARD OF SELECTMEN  
Monday, March 30, 2015  
Wayland Town Building  
Large Hearing Room**

**Proposed Agenda Page Two**

- 7:00 pm 6.) Warrant Hearing for 2015 Annual Town Meeting
- 8:00 pm 7.) Discussion of River's Edge Project
- Potential Vote to Direct Counsel on Sale v. Lease Option
  - Potential Vote to Direct Special Counsel on Site Assignment Option
  - Potential Vote to Approve Legal, Engineering, and Consultant Contracts and Expenses for Project
- 9:00 pm 8.) Review and Potential Vote to Support Annual Town Meeting Warrant Articles, Including Petitioners' Articles
- 9:15 pm 9.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:20 pm 10.) Review Correspondence (See Separate Index Sheet)
- 9:25 pm 11.) Report of the Town Administrator
- 9:35 pm 12.) Selectmen's Reports and Concerns
- 9:45 pm 13.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 9:50 pm 14.) Adjourn

River's Edge  
3/30 Discussion  
Topics

## MEMORANDUM

To: Board of Selectmen

From: Jerry Heller, Chair, River's Edge Advisory Committee  
Rebecca Stanizzi, Vice Chair, River's Edge Advisory Committee

Date: March 25, 2015

Re: River's Edge Update – BOS March 30

March 30's meeting is a continuation of River's Edge topics introduced at March 16's meeting. There will be a follow-up meeting in April, therefore while some individual topics may be resolved on March 30, any final vote on the overall RFP will not occur until April.

On March 30, topics will include:

### **Review of RFP Review Criteria:**

The draft RFP includes review criteria which will be the basis of how River's Edge Advisory Committee (REAC) and BOS will be reviewing Proposals. These were introduced March 16, further discussion/review may occur March 30. Again, no vote on the overall RFP will occur March 30.

### **Sale vs. Lease Advice from Counsel:**

Anderson & Krieger (A&K) advised BOS on the question as to whether the Town of Wayland should sell and/or lease the River's Edge property (memo, BOS package 3/16). The topic was introduced March 16; on March 30, counsel will be available for review and discussion, and BOS direction/vote is anticipated.

### **Site Assignment Update:**

The portion of River's Edge land which includes the former Septage Facility was included in a DEP "Site Assignment" in 1979 which designated it for use as part of the overall landfill. The Septage site was never used for landfill purposes, however the designation remains and either needs to be lifted or the new use needs to be allowed. REAC recommends to keep the Site Assignment in place, but secure DEP Presumptive Approval for the new River's Edge use. On March 30, discussion and BOS vote is anticipated to release A&K advice memo from attorney-client privilege, and to vote on direction to proceed.

### **Board of Public Works:**

Three issues are in process of being resolved with BoPW prior to their vote to release the parcels to BOS:

- Existing dirt piles at River's Edge site: In order to maintain operations similar to the current River's Edge site -- minus the accumulation of excess materials which would create another long-term obligation -- DPW needs a minimum of 2 acres of land. A potentially suitable area has been identified adjacent to the landfill near the new DPW facility. Update to be provided.
- Declaration of the land as surplus: BoPW has indicated they are willing to declare the site surplus for the River's Edge use. However, if for any reason River's Edge doesn't proceed, BoPW would like the site back, at a minimum retain utility of the site, so they would like a mechanism to achieve this. To be discussed March 30, with any vote as may be needed for BOS action.
- Water supply: BoPW has requested confirmation that adequate water supply is available for River's Edge prior to BoPW vote. Release of planned funds for a \$7K study to complete this analysis, as well as to provide flow test data feedback for bidders, is requested. Vote required.

**Sudbury/Wayland Septage Facility closeout:**

Update to be provided if topic is available to exit Executive Session, and as time may allow.

**Legal Bills Approval, Water Study Authorization and Potential RFP Review:**

Overall River's Edge budget provided for context (in 3/30 BOS packet). Approval requested for the following items:

- Anderson & Krieger legal bills to be approved.
- Water study described above to be approved (if not already approved in earlier discussion).
- Ed Marchant, prior consultant, is available to review RFP as a follow-up to prior peer review. Discuss and approve authorization to spend up to \$1,000 as a continuation of services.

Remaining topics will be discussed at a future April meeting.

**RIVER'S EDGE**  
**BUDGET VS. SPENT, AND WORK TO COMPLETE**

3/25/15

|                             | Original Budget | Actual Spent Up to 2014 TM Vote | Variance / Remaining | Work to Complete                                     | Total Budget   |
|-----------------------------|-----------------|---------------------------------|----------------------|--|----------------|
| Market Study                | 20,000          | 26,125                          | (6,125)              |  | 26,125         |
| Financial Impact Study      |                 |                                 |                      |  |                |
| Environmental Studies       | 50,000          | 68,336                          | (18,336)             | <b>3,200</b> Update for MCP                          | 71,536         |
| Perk Tests                  |                 |                                 |                      |  |                |
| Wetlands                    |                 |                                 |                      | <b>13,000</b> ANRAD                                  | 13,000         |
| Site Planning               | 95,000          | 43,886                          | 51,114               |  | 43,886         |
| Civil, Septic               |                 |                                 |                      | <b>3,500</b> Init Piping Study                       | 3,500          |
|                             |                 |                                 |                      | <b>7,300</b> ANR Plan                                | 7,300          |
|                             |                 |                                 |                      | <b>7,000</b> Water Analysis                          | 7,000          |
|                             |                 |                                 |                      | <b>10,000</b> Remaining water and/or curb cut design | 10,000         |
| Permitting Efforts          | 85,000          | 7,756                           | 77,244               |  | 7,756          |
| Traffic                     |                 |                                 |                      |  |                |
| Legal Drafting              | 75,000          | 11,061                          | 63,939               | <b>130,000</b> Updated Estimate                      | 141,061        |
| P&S, Conveyance Documents   |                 |                                 |                      | Approval for bills to date \$83K (65% complete)      |                |
| Contingency                 | 35,000          |                                 | 35,000               | <b>9,410</b>   | 9,410          |
| Peer Review                 |                 | 5,000                           | (5,000)              | <b>1,000</b> Continuation                            | 6,000          |
| Wireless                    |                 | 6,925                           | (6,925)              |  | 6,925          |
| Appraisal - 30B requirement |                 |                                 |                      | <b>6,500</b>   | 6,500          |
| <b>TOTAL</b>                | <b>360,000</b>  | <b>169,090</b>                  | <b>190,910</b>       | <b>190,910</b>                                       | <b>360,000</b> |

Previously approved by BOS  
 To be approved 3/30/15

**RFP # 15-24 - RIVER'S EDGE PROPERTY, WAYLAND, MA**

| Tab | Contents                       | Exhibit |
|-----|--------------------------------|---------|
|     | the RFP Respondent's Proposal. |         |

Updated originals of forms 3-7 shall be executed and delivered by the Successful RFP Respondent at Closing and as a pre-condition thereto.

**G. Evaluation Criteria**

The Town will review all proposals received by the filing deadline in accordance with the procedure in Section C and in accordance with the following Minimum Threshold Criteria and Comparative Evaluation Criteria:

**1. Minimum Threshold Criteria**

To be responsive to this RFP, an RFP Respondent must submit a Response meeting the following minimum threshold criteria:

- a. The Proposal must be complete and conform to all submission requirements set forth in this RFP and any Addendum to this RFP issued before the submission deadline.
- b. The Proposal must be timely submitted.

To be responsible under this RFP, an RFP Respondent:

- a. Must demonstrate through the information and documents submitted with its RFP Response that the RFP Respondent has the capability, integrity and reliability to acquire the Property and perform the Project under the RFP and the Land Disposition Agreement (Exhibit 2.1).
- b. Must have prior experience in completing similar projects.

**2. Comparative Evaluation Criteria**

Each proposal meeting the minimum threshold criteria will be evaluated and rated on the basis of the following comparative evaluation criteria. Where qualitative distinctions are appropriate to draw among proposals within the same tier, the evaluators will utilize the following numerical designations to assist with drawing those qualitative distinctions (with the higher number representing the higher qualitative evaluation on that criterion): Highly Advantageous (10 through 8); Advantageous (7 through 5), Passable/Not Advantageous (4 through 3) and Unacceptable (2-0).

**RFP # 15-24 - RIVER'S EDGE PROPERTY, WAYLAND, MA**

a. **Comparable Experience & Financial Strength**

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies a highly qualified RFP Respondent and highly experienced Project Team (including developer, designers, engineers, builder) with (a) extensive experience with comparable residential and rental projects, (b) an exceptional record of successfully completing similar residential and rental projects on schedule and within budget, and (c) top caliber principals and senior staff assigned to the Project Team based on the resumes and references provided and (d) exceptional financial strength, committed financial partners and demonstrated capacity to undertake and complete the Project.
- An Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies a qualified RFP Respondent and experienced Project Team with (a) relevant experience with comparable residential and rental projects, (b) a record of successfully completing residential and rental projects, and (c) experienced personnel staff assigned to the Project based on the resumes and references provided and (d) reasonable and demonstrated financial strength to undertake the Project.
- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies merely a passable RFP Respondent, Project Team, financial strength and capacity to undertake and complete the Project (above Unacceptable and below Advantageous).
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators fails to identify a qualified RFP Respondent, experienced Project Team, reasonable and demonstrated financial strength and capacity to undertake the Project.

b. **Quality of Design and Construction.**

Each of the categories (1) Site Planning and Design, (2) Architectural Design, (3) Quality of Materials and (4) Design of the Project and as a gateway in relationship to the larger Wayland community shall each be evaluated with the qualitative review criteria as follows:

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators meets and exceeds the qualitative design requirements of the RFP; presents superior merit in terms of

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architectural features, unit designs and amenities, and the quality of proposed construction; and carefully integrates the development of the Property as a gateway feature to the Town.

- An Advantageous rating will be given to a proposal that in the judgment of the evaluators complies with the design requirements of the RFP and presents an acceptable quality of building and unit design and construction.
- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies merely passable design and quality (above Unacceptable and below Advantageous).
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators fails to meet the design requirements of the RFP and presents an unacceptable design or quality of buildings, units, amenities, layout or construction.

c. **Quality of Community**

Each of the categories (1) Unit Amenities, Planning and Design, (2) Common Area Amenities, Planning and Design and (3) Community Planning (including the Project in its relationship to the larger Wayland community) shall each be evaluated with the qualitative review criteria as follows:

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators meets and exceeds the qualitative design requirements of the RFP; presents superior merit in terms of unit designs and amenities, common area design and amenities, and quality of community for residents, internally and as part of the larger Wayland community.
- An Advantageous rating will be given to a proposal that in the judgment of the evaluators complies with the design requirements of the RFP and presents an acceptable quality of unit, common area and community amenities.
- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators identifies merely passable design and quality of community (above Unacceptable and below Advantageous).
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators fails to meet the design requirements of the RFP and



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presents an unacceptable design or quality of units, amenities, or community.

d. **Feasibility of Proposed Project.**

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators is highly feasible based on an analysis of the pro forma, the demonstrated ability to resolve financial, environmental and permitting issues as they may arise, the likely acceptability of the proposed Project to regulators, lenders and funders, and the likelihood of providing or obtaining proposed financing for Project costs and expenses, and the reasonableness of the pro forma.
- An Advantageous rating will be given to a proposal that in the judgment of the evaluators is feasible based on an analysis of these factors.
- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators may or may not be feasible based on an analysis of these factors (above Unacceptable and below Advantageous).
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators is not feasible based on an analysis of these factors.

e. **Range of Housing Opportunities.**

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators will meet or exceeds the affordability and senior housing requirements established by the RFP, the REHOD (Exhibit 3.1) and the River's Edge Design Guidelines (Exhibit 5.2) (collectively the "Affordability and Senior Housing Requirements") and will result in a higher number in the range of 150-190 new rental housing units which are counted toward the Town's Subsidized Housing Inventory.
- An Advantageous rating will be given to a proposal that in the judgment of the evaluators will meet the Affordability and Senior Housing Requirements, and will result in a lower number in the range of 150-190 new rental housing units which are counted toward the Town's Subsidized Housing Inventory.

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- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators may result in fewer than 150 new rental housing units which are counted toward the Town's Subsidized Housing Inventory (above Unacceptable and below Advantageous).
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators fails to meet the Affordability and Senior Housing Requirements and/or which fails to identify a proven strategy for 100% of the new rental housing units to be counted toward the Town's Subsidized Housing Inventory.

f. **Proposed Development Schedule.**

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators incorporates an expedited and achievable critical path time schedule for the Project.
- An Advantageous rating will be given to a proposal that in the judgment of the evaluators incorporates a prompt and feasible critical path time schedule for the Project.
- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators incorporates a protracted but feasible critical path time schedule for the Project.
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators incorporates a dilatory or infeasible critical path time schedule for the Project.

All other things being equal, a Project with a shorter, more achievable development schedule will receive a more advantageous rating on this criterion than a Project with a longer, more questionable development schedule.

g. **Interviews (If Conducted)**

- A Highly Advantageous rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance demonstrated highly professional team leadership, detailed knowledge of the RFP requirements and the Property Information, and a sound and proven strategy and methodology for overcoming impediments and achieving success on the Project.
- An Advantageous rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in

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attendance demonstrated professional team leadership, working knowledge of the RFP requirements and the Property Information, and a workable strategy and methodology for overcoming impediments and achieving success on the Project.

- A Passable/Not Advantageous rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance demonstrated passable team leadership, a passing knowledge of the RFP requirements and the Property Information, and a potential but unproven strategy and methodology for overcoming impediments and achieving success on the Project.
- An Unacceptable rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance failed to demonstrate sufficient team leadership, even a passing knowledge of the RFP requirements and the Property Information, or a modicum of strategy and methodology for overcoming impediments and achieving success on the Project.

h. **Preliminary Ranking**

After evaluating all proposals on the foregoing factors, the evaluators will arrive at a preliminary recommended ranking of the proposals relative to the other proposals based upon the above criteria. A proposal which achieves “Highly Advantageous” and/or “Advantageous” rankings in several categories will not necessarily be disqualified simply because it received a Passable/Not Advantageous or an “Unacceptable” ranking in one or more other categories if, in the judgment of the evaluators, the proposal on the whole is “Advantageous” or “Highly Advantageous” to the Town.

i. **Total Financial Benefits to the Town**

After completing the preliminary recommended ranking of the proposals relative to each other as above, the evaluators will open all price proposals; separately rank the proposals in order based on price, on anticipated local real estate tax revenues, and on other financial benefits to the Town; and calculate the total financial benefits to the Town from each proposal based on a combination of price, anticipated local real estate tax revenues, and other financial benefits to the Town. The total financial benefits to the Town alone will not be the determining factor for the award of the RFP to an RFP Respondent. Rather, the evaluators will group the responses into four categories based on total financial benefits to the Town as follows:

**RFP # 15-24 - RIVER'S EDGE PROPERTY, WAYLAND, MA**

- A Highly Advantageous rating will be given to a proposal that in the judgment of the evaluators provides total financial benefits to the Town well above the average of all proposals.
- An Advantageous rating will be given to a proposal that in the judgment of the evaluators provides total financial benefits to the Town that are above the average of all proposals.
- A Passable/Not Advantageous rating will be given to a proposal that in the judgment of the evaluators provides total financial benefits to the Town that are moderately below average to average for all proposals (above Unacceptable and below Advantageous).
- An Unacceptable rating will be given to a proposal that in the judgment of the evaluators provides total financial benefits to the Town that are well below the average of all proposals.

j. **Final Ranking**

After arriving at the four categories of price rankings, the evaluators will arrive at a final recommended ranking of the proposals relative to the other proposals taking price into account. All other things being equal, the evaluators may increase the ranking of a proposal that is Highly Advantageous on price and decrease the ranking of a proposal that is Unacceptable on price.

The Selectmen will then make a final determination as to which proposal is most advantageous to the Town taking all factors including price into account. The Selectmen's determination may differ from the recommendations provided by the Committee, and the Selectmen's discretion in this regard shall be final.

The Notice of Award, if any, will be made by the Town based upon the Wayland Board of Selectmen's determination of the most advantageous proposal from a responsible and responsive RFP Respondent, taking into consideration all evaluation criteria set forth in the RFP.

RIVER'S EDGE:  
SALE VS LEASE  
ADVICE

**ANDERSON  
KREIGER**

**MEMORANDUM**

To: Nan Balmer, Town Administrator

Cc: River's Edge Advisory Committee  
Mark Lanza, Town Counsel  
Stephen D. Anderson and Stephanie B. Dubanowitz, Special Counsel

From: David L. Wiener  
ANDERSON & KREIGER LLP

Re: Wayland: Sale vs. Ground Lease of River's Edge Property

Date: March 12, 2015

In preparation for the upcoming meeting with the Selectmen, the River's Edge Advisory Committee (the "Committee") has asked us to provide to you as the Town's Chief Procurement Officer our assessment of the key benefits to the Town of a sale of the River's Edge property, as opposed to the long-term ground leasing of the property by the Town to the successful RFP respondent. These important benefits—which would not exist under a ground lease structure—allow for the Town to avoid as much as possible future liability with respect to the site, to obtain a wide variety of RFP bids so that the Town can select a developer and proposed project that meets the Town's objectives for the property and diminish public procurement concerns going forward.

1. **A Sale Eliminates Certain Liability that a Ground Lease Does Not.** Under a ground lease, the Town, as the property owner, would be subject to potential claims and lawsuits by third parties for bodily injury or property damage occurring at the property during the term of the ground lease (ranging from something as simple as a "slip and fall" in the parking lot to something as complicated as environmental exposures during construction or occupancy of the buildings). Although the Town enjoys certain tort claim protections and carries its own insurance, and although a ground lease would include insurance and indemnity provisions to protect the Town against any such claims, the Town would still be subject to potential exposure as the owner of the property and would need to pursue insurance and indemnity claims if the insurers or the developer/ground tenant failed to honor those obligations.<sup>1</sup> These issues are reduced or eliminated by the sale of the

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<sup>1</sup> It is useful to point out that the ground tenant is likely to change—more than once—over the duration of the term of any ground lease. The successful RFP bidder and initial developer of the project, with whom the Town may have a good working relationship and a certain level of comfort, will almost certainly sell or assign its interest in the ground lease. As a result, the Town, as ground landlord, will be dealing with a different developer/ground tenant with whom it may not have such a relationship as the Town seeks to enforce the terms of the ground lease, including any indemnification obligations of the ground tenant.

property. Except for any ongoing legal obligations arising from the Town's prior ownership or operation of the property (e.g., certain environmental claims where the Town would still need to pursue its indemnities against the buyer provided in the Land Disposition Agreement), the Town would ordinarily not be subject to bodily injury and property damage claims first occurring after it has sold the property.

2. **A Sale Relieves the Town of Further Property Management Obligations.** Under a ground lease, the ground landlord typically maintains certain rights and obligations (for example, approving alterations and improvements, consenting to assignments of the ground lease or subleases, and reviewing and approving the ground tenant's required insurance coverage), as well the ability to enforce defaults of the ground tenant under the ground lease for its entire term. A sale, by contrast, "cuts the cord" with the developer so that the Town will not have further management obligations with respect to the property or the developer (other than in the Town's role as the permit granting authority with respect to permits and approvals necessary for the project and the rights afforded to the Town under the RFP and the Land Disposition Agreement to be entered into with the successful RFP respondent).
3. **A Ground Lease May Diminish the Potential Pool of RFP Respondents and the Bid Prices for the Property.** It is our understanding that the Committee wants to encourage bids from a wide variety of developers—including nonprofits. Nonprofit developers, however, may be less inclined to bid under a ground lease scenario since their bid would require an upfront business and legal analysis of the ground lease at a significant cost that a nonprofit developer may not be willing to undertake. The term of the ground lease would also affect bid prices for the property. Generally speaking, the shorter the term of the ground lease proposed by the Town, the lower the bid prices will be. If the Town elects to proceed with a ground lease, we recommend that the Town perform (if it has not already done so) an economic analysis to determine (a) a proposed lease term that would provide the same return to the Town as the Town's current estimated sales price for the property and (b) the most advantageous way to structure the ground lease payments (e.g., one up front payment or annual or monthly payments of ground rent, etc.).
4. **Legal and Public Bidding Concerns.** A ground lease triggers additional legal and public bidding complexities. The longer the lease term (e.g., 50 years, 75 years, 99 years), the more likely it is that special home rule legislation (approved by Town Meeting and the Legislature) would be required to authorize the lease. Additionally, the more control the Town retains over the property and the development under a ground lease, the higher the likelihood that the project will be subject to public construction bidding requirements (which are much stricter than c. 30B with respect to such matters as prevailing wages). Compare *Andrews v. City of Springfield*, 75 Mass. App. Ct. 678 (2009) and *Brasi Development Corp. v. Att'y General*, 456 Mass. 684 (2010) with *Salem Building Co., v. J.B.L. Construction Co.*, 10 Mass. App. Ct. 360 (1980). The test laid out in *Brasi* focuses on (a) the length of the lease, (b) the detailed design and construction

specifications in the RFP, (c) the degree of public control and supervision of the construction process, and (d) whether ongoing payments (rent) cover the cost of construction. Therefore a ground lease, as opposed to a sale, may limit the Town's ability to use c. 30B evaluation criteria (as distinguished from the public construction bid laws' focus on price) to select the most advantageous developer/project. Such a procurement may also discourage some potential developers and unfavorably affect pricing compared with a c. 30B procurement.<sup>2</sup>

Although we are mindful that a sale permanently disposes of the land whereas a ground lease has the potential for the Town to recover and reuse the property at the end of the term, the benefits described above are material and significant and are rightly considered by the Town in making a decision to sell the property for development.

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<sup>2</sup> We recognize that a ground lease could be drafted to eliminate some or all of the ground landlord's approval rights. This, however, would not be "market" for sophisticated ground lease projects.

River's Edge 3-30-15  
BoPW

Balmer, Nan

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**From:** Chris Brown <cbrown93@comcast.net>  
**Sent:** Wednesday, March 25, 2015 11:58 AM  
**To:** Balmer, Nan  
**Cc:** Kadlik, Stephen; Alias, SWQC; Tom Greenaway; Tom Abdella; Keveny, Brian  
**Subject:** DPW Land Use  
**Attachments:** River's Edge Site Uses 01-2015.pdf

Hi Nan,

We have made progress on finding a new site for DPW operations that are currently being used on the River's Edge site. We have found a parcel of land, already under BoPW control, that is near the new DPW building, not near wetlands, etc. Stubby has visited the site, and has approved it.

However, we will be going from roughly six acres to two acres, so there will be some things that will need to change with our day-to-day operations. With less land, we will have less storage space and thus will need to have items removed more frequently. Stubby and his team have worked up an estimated cost for these items and it is attached here. This is something you may wish to include in the Selectmen's packets in preparation for our discussion on March 30.

The first item on the list - for \$1,350,000 will be taken care of by the River's Edge developer, so that is not an issue. However, to summarize, for the DPW to give up this land to River's Edge and move to the smaller site, it will cost the town approximately \$100k per year. Additionally, one of the biggest uses of this current site is snow storage. The "downtown" areas of Wayland, the high school parking lots, and when we have severe winters, some neighborhood snow is removed and currently placed at "River's Edge." Without land to store this excess snow, we may have to look at acquiring a snow melter. There is a capital cost for this machine of ~\$150k, but there is also a significant operating cost of approximately 100 gallons of diesel fuel per hour to operate the melter. These are additional costs on top of the \$100k per year mentioned above.

The BoPW does not view any of these items as a hindrance or a "show stopper." We simply want to make the Selectmen and FinCom aware that there is a cost for ceding this land to River's Edge, and we will be making the appropriate budget requests in future years.

Best,  
Chris Brown  
Chair, Board of Public Works



## Proposed Rivers Edge Site

The DPW currently uses the approximate 4 acres parcel of land where the Rivers Edge Site is proposed. The area has been used for many years for a variety of uses from snow storage, to the staging area of materials for the day to day operations. On the North side of the property there are several Police agencies including Wayland which use the site as a gun practice range for training purposes. If the DPW was to lose the current site the additional costs and labor would increase dramatically. Below we have calculated some cost estimates and uses. Whenever daily offsite trucking is needed a loss of onsite production will suffer and delay future work.

### Removal of Current Materials:

Currently there is over 150,000 cubic yards of materials on site which would have to be removed  
**\*At a cost estimated at well over \$1,350,000.00**

### Wood chips:

We currently generate over 1500 cubic yards of wood chips yearly. These wood chips are stored and used on roadside projects as needed.

**\*We can dump wood chips at Cavicchios in Sudbury at no dumping cost, but the cost of labor and trucking. @ \$35. Truck, \$22. Driver x 2 \$ 79.00 per trip, 1500CY \$23,700.00**

### Road Millings:

Currently Road Millings are stock piles during road construction to be removed at later dates which allows the DPW to have cost savings from the contractors.

**\*Costs of hauling millings during construction, time and trucking. Costs upward of 10% of Road Construction Contracts**

### Bituminous berm & bituminous asphalt:

During road construction all berm is removed and trucked to DPW site, as well as all asphalt removed during catch basin or manhole rebuilds, and during any cutting of the roads. We estimate we accumulate @ 150-200 cubic yards a year.

For Contractual services we allow them to use our facility to save on the contract.

**\*We have priced the removal of Bituminous asphalt \$10.00 per cubic yard, Cost of trucking and labor \$35.00 truck \$22.00 Driver 200CY \$4300.00**

### Concrete:

Currently generate @ 75 – 150 cubic yards of concrete yearly, from Catch basin, Manhole rebuilds and repairs, also many other Park division and Highway projects within town.

**\*Cost of removal of Clean concrete no rebar \$10.00 per CY. Cost of trucking and labor \$35.00**  
truck \$22.00 driver 150cu yrd \$3210.00

### Road reclaim materials:

Full depth reclamation during road construction generates upwards of 2000 cubic yards of usable materials which we store towards future construction of sidewalks, roads and other projects. This is a large savings to the town do to the limited need for purchasing processed gravel. If we were not able to store this material we would have to incur the higher cost of contractual services for reclamation. Also we would have to purchase processed gravel as needed

**\*Processed gravel \$15.00 CY \$30,000.00**

### Snow Storage:

During winter months after a large snow storm or the accumulation of several storms it is necessary to remove road side snow in the business districts and along certain intersections and sidewalk areas as needed. Also limited snow storage areas at the High School require us to remove the snow from there as well. If we lose the snow storage area at the current garage 195 Main Street due to the move and take away the front pit areas we will have no snow storage areas available.

**\*Rent a snow melter unit to melt and filter accumulated snow that would have been moved. This would require approval from the Conservation Commission for discharge of the water. Rental for season, average time used and fuel use. \$150,000.00 plus fuel usage at the rate of 100 gallons per hour.**

### Future Area Requirements:

All the information in this document still doesn't answer the question what to do with the accumulation of earth spoils that derive from daily work, projects and water breaks. The DPW would still need a lay down area for the materials even if we were to screen and separate in house. There is also a severe need for several hundred yards of processed gravel that is available at all times for backfilling emergency water breaks and dry fill as needed. We feel as if a parcel of land at a minimum of 2 acres would be the least area we could utilize productively.

**\*cost of screening plant rental \$6000.00 per month**

DATE: MARCH 30, 2015  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: RIVER'S EDGE PROJECT BILLS

**RECOMMENDED ACTION:  
VOTE TO APPROVE RIVER'S EDGE PROJECT LEGAL INVOICES AND AUTHORIZE CONTRACTS FOR  
ENGINEERING SERVICES AND PEER REVIEW AS RECOMMENDED TO THE BOARD BY EDC / REAC**

**BACKGROUND:**

River's Edge project expenses must be approved by both the Economic Development Committee (EDC) and the Board of Selectmen. I have been advised by the EDC Chair that the EDC has requested REAC to review and approve project invoices and Ms. Stanizzi informs me the following invoices have been approved by REAC:

|  |             |
|--|-------------|
| <u>The Law Firm of Anderson and Krieger</u><br>Work Performed from December 2014 through February 2015<br>Invoice Attached | \$76,361.13 |
|--|-------------|

REAC also requests the following contracts be authorized:

|  |            |
|--|------------|
| <u>Tata &amp; Howard</u><br>Study of Water Service Capacity and Flow Testing<br>Scope of Work Attached | \$9,000.00 |
| <u>Ed Marchand, Consultant</u><br>Follow up on Peer Review of RFP – Not to Exceed                      | \$1,000.00 |

REAC Chairman Mr. Heller and Ms. Stanizzi will discuss these expenses and contracts with you Monday and will provide additional information at your request as well as review the project budget.

CC: REAC Chair

**ANDERSON**  
**KREIGER**

Anderson & Kreiger LLP  
One Canal Park, Suite 200  
Cambridge, MA 02141  
(617)621-6500  
EIN: 04-2988950

March 5, 2015

Town of Wayland  
Attn: John Moynihan  
Public Buildings Director  
2nd Floor, Facilities Department  
41 Cochituate Road, Wayland, MA 01778

Reference # 111878 / 5415-001

In Reference To: River's Edge Special Counsel

|                        |                         |
|------------------------|-------------------------|
| Total Current Billing: | <u>9,797.22</u>         |
| Previous Balance Due:  | 66,563.91               |
| <b>Total Now Due:</b>  | <b><u>76,361.13</u></b> |

**PLEASE NOTE: ALL BALANCES DUE WITHIN 30 DAYS**



**TATA & HOWARD**

March 17, 2015

Ms. Nan Balmer, Town Administrator  
Office of the Town Administrator  
41 Cochituate Road  
Wayland, MA 01778

Subject: Revised Feasibility Study for Potable Water Supply  
River's Edge Development  
Wayland, Massachusetts  
T&H No. 4007

Dear Ms. Balmer:

As requested, Tata & Howard, Inc. is pleased to present this revised proposal for a feasibility study for potable water supply to the proposed River's Edge Development located at 484-490 Boston Post Road in Wayland, Massachusetts. This proposal supersedes the previously submitted proposal dated March 13, 2015 and includes preparing demand projections for the water distribution system based on historical use and population trends. The proposed scope of services consists of a feasibility study to estimate the available flow and pressure in the vicinity of the proposed site and whether there is adequate water supply for the proposed River's Edge Development. Upon approval, we will prepare a contract agreement in accordance with the scope of services and fee below.

The scope of work for the feasibility study for potable water supply is as follows:

1. Conduct a fire flow test to estimate the available flow and pressure at the proposed River's Edge Development based on the existing conditions of the water distribution system. This task will not include use of the hydraulic model or recommendations to increase the flow rate and pressure to meet fire flow recommendations. The developer is responsible for hiring a qualified fire protection engineer to determine the recommended fire flow for the River's Edge Development. The following will be completed:
  - Coordinate and conduct a total of one flow test with the Town of Wayland Water Department.
  - Using the results from the flow test, calculate the current estimated available flow and pressure in the vicinity of the proposed site.
2. Prepare maximum day demand projections for the water distribution system based on historical use and population trends. Information from the 2010 federal census data, build out data from the Town of Wayland and from regional agencies will be used to

estimate population trends. Estimate the projected population of the Town of Wayland for a 20 year period. The projected population will be used to develop estimated water supply needs. Estimate the projected maximum day water demand for the proposed River's Edge Development based on the proposed use and bedroom count below previously provided by the Town of Wayland Planning Department.

| Proposed Use       | Number of Units | Number of Bedrooms |
|--------------------|-----------------|--------------------|
| 25% Age Restricted | 47              | 47                 |
| 1 Bedroom Unit     | 70              | 70                 |
| 2 Bedroom Unit     | 70              | 140                |
| 3 Bedroom Unit     | 3               | 9                  |
| <b>Total</b>       | 190             | 266                |

3. Evaluate the future maximum day water demands including the projected maximum day water demand for the proposed River's Edge Development versus the available supply to determine if there is adequate water supply for the proposed River's Edge Development. The available supply will be evaluated based on the Water Management Act Registration and Permit available water supply, pumping capacities, and maximum approved withdrawal from each source.
4. Prepare and submit a letter detailing the current estimated available flow and pressure at the proposed River's Edge Development and whether there is adequate water supply for the proposed River's Edge Development.

The estimated not to exceed fee is listed below.

| Task            | Fee     |
|-----------------|---------|
| Scope Items 1-4 | \$9,000 |

We appreciate the opportunity to assist you on this important project. If you have any questions, please do not hesitate to contact us.

Sincerely,

TATA & HOWARD, INC.



Paul B. Howard, P.E.  
Senior Vice President

**DATE:** MARCH 30, 2015  
**TO:** BOARD OF SELECTMEN  
**FROM:** NAN BALMER, TOWN ADMINISTRATOR  
**RE:** WARRANT ARTICLES

Attached is the updated list of warrant articles, highlighting votes you may wish to take.

Please note that we have now received all abutter releases for Article 32: Acquire Open Space Parcel in Sage Hill. Because we have received these releases, the acquisition can be considered a “friendly” eminent domain taking to clear title.

With regard to Article 33: Acquire Land and House at 246 Stone Bridge, please see the attached update from the Conservation Administrator.

Finally, attached are draft motions showing suggested Movers of each article. The CPA Chairman is forwarding the movers for those articles.

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name  | Sponsor                          | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|--|----------------------------------|--------------------|-----------------|--------------------|-----------------|
| 1       | Recognize Citizens and Employees for Particular Service to the Town                        | Board of Selectmen               | J. Nolan           | T. Greenaway    | 5-0                | 7-0             |
| 2       | Pay Previous Fiscal Year Unpaid Bills  | Board of Selectmen               | J. Nolan           | T. Greenaway    | 5-0                | 7-0             |
| 3       | Current Year Transfers   | Finance Committee                | J. Nolan           | T. Greenaway    | 5-0                | 7-0             |
| 4       | OPEB Funding   | Board of Selectmen               | T. Boschetto       | B. Steinberg    | 4-0-0              | 7-0             |
| 5       | FY 2016 Omnibus Budget   | Finance Committee                | T. Boschetto       | T. Greenaway    |                    | 6-0             |
| 6       | Compensation for Town Clerk  | Board of Selectmen               | C. Karlson         | T. Greenaway    | 5-0                | 6-0             |
| 7       | Personnel Bylaw and Wage & Classification Plan   | Personnel Board                  | C. Karlson         | T. Greenaway    | 5-0                | 7-0             |
| 8       | Accept Valor Act to Establish Veterans Property Tax Workoff Program                        | Board of Selectmen               | E. Collins         | D. Watkins      | 5-0                | 6-0             |
| 9       | Resolution Regarding ESCO Project Changes  | Board of Selectmen               | C. Karlson         | B. Steinberg    | 3-1-0              | 7-0             |
| 10      | Inspection Testing and Maintenance of Privately Owned Water Based Fire Suppression Systems | Board of Selectmen               | E. Collins         | N. Funkhouser   | 5-0                | 6-0             |
| 11      | Set Aside Community Preservation Funds for Later Spending                                  | Community Preservation Committee | E. Collins         | N. Funkhouser   | 5-0                | 7-0             |



## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name  | Sponsor                          | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|--|----------------------------------|--------------------|-----------------|--------------------|-----------------|
| 12      | Set Aside for Later Spending \$2 Million for Open Space  | Community Preservation Committee | E. Collins         | N. Funkhouser   | 4-0                | 6-0             |
| 13      | Transfer Community Housing Funds to Wayland Municipal Affordable Housing Trust Fund  | Community Preservation Committee | E. Collins         | N. Funkhouser   | 5-0                | 6-0             |
| 14      | Implement Solar Energy: Power Purchase and License Agreement and Authorization for PILOT   | Board of Selectmen               | C. Karlson         | D. Watkins      | 5-0                | defer           |
| 15      | Fund Glezen Lane Traffic Control Measures  | Board of Selectmen               | E. Collins         | T. Greenaway    |                    | 3-1             |
| 16      | Land and Easement Acquisitions for Route 30 and 27 Intersection Improvements   | Board of Selectmen               | J. Nolan           | T. Abdella      | 4-0                | 4-0-2           |
| 17      | Withdraw from Minuteman Regional Vocational School District  | Board of Selectmen               | T. Boschetto       | G. Wolin        | 5-0                | 4-0-1           |
| 18      | Amend Bylaw re: Reconsideration of Articles by Town Meetings   | Petitioners                      | C. Karlson         | G. Wolin        |                    | 4-1             |
| 19      | Amend Chapter 193 – Stormwater and Land Disturbance Bylaw  | Conservation Commission          | M. Antes           | T. Greenaway    | 4-0                | 4-1             |
| 20      | Authorization for the Town of Wayland to Grant an Additional License for the Sale of All Alcoholic Beverages not to be Drunk on the Premises | Petitioners                      | E. Collins         | D. Watkins      |                    | 5-0-1           |

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name  | Sponsor  | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|--|--|--------------------|-----------------|--------------------|-----------------|
| 21      | Transfer Dudley Woods Parcels for Passive Recreation   | Board of Selectmen                             | C. Karlson         | C. Martin       | 4-0-1              | 7-0             |
| 22      | Design and Construct Trails and Signage at Dudley Woods  | Community Preservation Committee               | C. Karlson         | C. Martin       | 4-0                | 6-1             |
| 23      | Acquire Open Space Parcel in Sage Hill Subdivision   | Board of Selectmen and Conservation Commission | M. Antes           | T. Abdella      |                    | 6-0             |
| 24      | Construct Rail-Trail in Wayland  | Community Preservation Committee               | J. Nolan           | B. Steinberg    | 5-0                | 7-0             |
| 25      | Acquire Municipal Parcel in Town Center and Convey Access Easement in Town Center  | Board of Selectmen                             | C. Karlson         | B. Steinberg    | 4-0                | 7-0             |
| 26      | Appropriate Funds for Due Diligence and Feasibility Design for a Proposed Council on Aging/Community Center at Wayland Town Center | Board of Selectmen                             | M. Antes           | C. Martin       | 5-0                | 7-0             |
| 27      | Amend Chapter 36 of the Current Bylaws   | Petitioners                                    | M. Antes           | T. Greenaway    |                    | 3-2             |
| 28      | Accept Chapter 390 of the Acts of 2014 to Establish a Tax Title Collection Revolving Fund  | Board of Selectmen                             | T. Boschetto       | G. Wolin        | 4-0                | 4-0             |
| 29      | Town will Enforce Lowest Speed Limit Allowed by Law  | Petitioners                                    | T. Boschetto       | T. Greenaway    |                    | no position     |

## ARTICLE LIST FOR 2015 ANNUAL TOWN MEETING

| Article | 2015 Article Name   | Sponsor                          | Assignee Selectmen | Assignee FinCom | Position Selectmen | Position FinCom |
|---------|---|----------------------------------|--------------------|-----------------|--------------------|-----------------|
| 30      | Appropriate Funds to Create Stewardship and Land Management Plans for Conservation Land | Community Preservation Committee | M. Antes           | N. Funkhouser   | 4-0                | 5-0             |
| 31      | Resolution to Continue Electronic Voting Through FY 2019                                | Petitioners                      | E. Collins         | B. Steinberg    | 4-0                | 5-1-1           |
| 32      | Prohibit Roadside Distribution of Phone Books and Advertising                           | Petitioners                      | T. Boschetto       | T. Greenaway    |                    | no position     |
| 33      | Acquire Land and House at 246 Stonebridge Road  | Community Preservation Committee | M. Antes           | N. Funkhouser   |                    | 6-0-1           |
| 34      | Appropriate Funds to Stabilize Two Arches of Stone's Bridge                             | Community Preservation Committee | M. Antes           | N. Funkhouser   | 4-0                | 6-0             |
| 35      | Design of a Multi-Use Grass Playing Field at Oxbow Meadows (Former Nike Site)           | Community Preservation Committee | J. Nolan           | C. Martin       | 4-0                | 6-0             |
| 36      | Hear Reports  | Board of Selectmen               | J. Nolan           | T. Greenaway    | 5-0                | 7-0             |
| 37      | Choose Town Officers  | Board of Selectmen               | J. Nolan           | T. Greenaway    | 5-0                | 7-0             |
| 38      | Accept Gifts of Land  | Board of Selectmen               | J. Nolan           | T. Greenaway    | 4-0                | defer           |
| 39      | Sell or Trade Vehicles and Equipment  | Board of Selectmen               | J. Nolan           | T. Greenaway    | 4-0                | defer           |

**Balmer, Nan**

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**Subject:** FW: 246 Stonebridge Road - Article 33, 2015 Annual Town Meeting

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**From:** Balmer, Nan  
**Sent:** Thursday, March 26, 2015 7:36 PM  
**To:** Monahan, Brian  
**Subject:** Re: 246 Stonebridge Road - Article 33, 2015 Annual Town Meeting

The purpose of this e-mail is to provide an update on the status of the Conservation Commission's effort to acquire the property at 246 Stonebridge Road reflected in Article 33 of the 2015 Annual Town Meeting Warrant.

The Conservation Commission, through funding provided by the Community Preservation Committee (CPC) got an appraisal for the property. The appraisal valued the property at \$280,000.

The Conservation Commission authorized S. Greenbaum to negotiate on behalf of the Commission and S. Greenbaum has signed a Purchase and Sale Agreement to acquire the property for \$270,000. The purchase and sale agreement has been signed by the representative of the estate.

The original warrant article sought money for both the purchase of the property as well as funding to demolish the existing dwelling. The purchase price was based upon the assessed value of the property at the time the request was made which was \$317,100. A definitive estimate for permitting and demolishing the house remains to be done, an estimate of \$25,000 was used in preparing the article.

Please let me know if there is additional information that is needed.

Thank you.

Brian

*MOVER: JOE NOLAN*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR  
PARTICULAR SERVICE TO THE TOWN  
MOTION #1**

I move you, sir:

**MOVED:** that the Town recognize a citizen who has served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive):

|                     |  |              |
|---------------------|--|--------------|
| Frederick K. Knight | School Building Committee                    | 1989-1995    |
|                     | School Committee                             | 1996-2005    |
|                     | High School Study Committee                  | 2005-2006    |
|                     | High School Building Committee               | 2006-2013    |
|                     | Wastewater Management<br>District Commission | 2010-Present |

*MOVER: JOE NOLAN*

**MOTION – 2015 ATM – APRIL 3, 2015**

**ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR PARTICULAR SERVICE TO THE TOWN  
MOTION #2**

I move you, sir:

MOVED: that the Town recognize the following town employees who have retired since the 2014 Annual Town Meeting and have served the Town for over 20 years (service need not be consecutive):

|                  |          |                                |
|------------------|----------|--------------------------------|
| Vincent J. Smith | 39 years | Fire Chief                     |
| Ruth Backman     | 34 years | Police Detective               |
| Paul Perry       | 33 years | Park Department                |
| William Bradford | 28 years | Police Officer                 |
| Lois M. Toombs   | 25 years | Town Clerk                     |
| Pamela Sway      | 24 years | Assistant Children's Librarian |

MOVER: JOE NOLAN

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR  
PARTICULAR SERVICE TO THE TOWN  
MOTION #3**

I move you, sir:

MOVED: that the Town recognize and observe a moment of silence in remembrance of the following appointed volunteer with at least 10 years of service to the Town, without regard to tenure, who has passed away since the adjournment of the 2014 Annual Town Meeting:

Appointed Volunteer

Sarah (Sally) Newbury    December 29, 2014    Conservation Commission

*MOVER: CHERRY KARLSON*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 2: PAY PREVIOUS FISCAL YEAR UNPAID BILLS**

I move you, sir:

**MOVED:** that the Town pay the bills of Fiscal Year 2014 listed on page 25 of the Warrant for the 2015 Annual Town Meeting under the heading of “Fiscal 2014 liabilities to be paid using Fiscal 2015 appropriations” and that the Fiscal Year 2014 appropriations so listed be used to pay said bills.



**MOVER: TOM GREENAWAY**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 3: CURRENT YEAR TRANSFERS**

I move you, sir:

**MOVED:** that the following sums be appropriated to be expended by the following boards and committees in Fiscal Year 2015 for the following purposes:

| <u>Purpose</u>                       | <u>Amount</u>      | <u>Board or Committee</u>                                      |
|--------------------------------------|--------------------|--|
| SNOW AND ICE –<br>PERSONNEL SERVICES | \$ 200,000         | Board of Public Works  |
| SNOW AND ICE EXPENSE                 | \$ 50,000          | Board of Public Works  |
| TREASURERS EXPENSE                   | \$ 45,000          | Board of Selectmen   |
| FINANCE EXPENSE                      | \$ 12,000          | Board of Selectmen   |
| VOCATIONAL ASSESSMENT                | \$ 3,193           | Minuteman Regional<br>Vocational Technical<br>School Committee |
| VETERANS EXPENSE                     | \$ 2,000           | Board of Selectmen   |
| WASTEWATER EXPENSE                   | \$ 65,600          | Wastewater Management<br>District Commission                   |
| TOWN IT EXPENSE                      | \$ 30,000          | Board of Selectmen   |
| TOTAL CURRENT YEAR<br>TRANSFERS      | <u>\$ 407,793;</u> |  |

and that said appropriations for snow and ice expenses and vocational assessment be provided by transferring \$253,193 from the General Fund – Unreserved Fund Balance; that said appropriation for the Treasurer’s expense be provided by transferring \$30,000 from the Fiscal Year 2015 Recreation Personnel Services Appropriation and 15,000 from the Fiscal Year 2015 General Insurance Appropriation; that said appropriation for Finance Department Expense be provided by transferring \$12,000 from the Fiscal Year 2015 Finance Department Personnel Services Appropriation; that said appropriation for veterans expense be provided by transferring \$2,000 from the Fiscal Year 2015 Recreation Personnel Services Appropriation; and that said appropriation for Town IT expense be provided by transferring \$30,000 from the Fiscal Year 2015 Unemployment Expense Appropriation.

**MOVER: TONY BOSCHETTO**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 4: OPEB FUNDING**

**MOTION No. 1**

I move you, sir:

**MOVED:** that the Town transfer the sums of money from the enterprise funds and revolving funds listed in Paragraph a) of Article 4 on Page 27 of the Warrant for the 2015 Annual Town Meeting totaling \$115,018.00 to the General Fund.

*MOVER: TONY BOSCHETTO*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 4: OPEB FUNDING**

**MOTION No. 2**

I move you, sir:

**MOVED:** that the Town appropriate \$28,769.00 to be deposited in the Town's Other Post-Employment Benefits Trust Fund; and that said appropriation be provided by transferring the sums of money from the enterprise funds and revolving funds listed in Paragraph b) of Article 4 on Pages 27 and 28 of the Warrant for the 2015 Annual Town Meeting totaling \$28,769.00.

*MOVER: TONY BOSCHETTO*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 4: OPEB FUNDING**

**MOTION No. 3**

I move you, sir:

**MOVED:** that the Town appropriate \$209,114.00 to be deposited in the Town's Other Post-Employment Benefits Trust Fund; and that said appropriation be provided by transferring \$209,114.00 from the General Fund – Unreserved Fund Balance.

**MOVER: TOM GREENAWAY**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 5: FY 2016 OMNIBUS BUDGET (MOTION # 1)**

I move you, sir:

**MOVED:** That the report of the Finance Committee respecting the Fiscal Year 2016 Budget be accepted; and that each and every numbered item set forth in the Finance Committee's Budget for Fiscal Year 2016 be voted, granted and appropriated as an expenditure for the several purposes and uses set forth in said budget establishing a total budget of \$76,759,962 which sum shall be expended only for the purposes shown under the respective boards, committees and offices of the Town; and, of the total sum so appropriated, \$68,366,163 shall be raised by taxation, \$360,000 shall be provided by transfer from Ambulance receipts, \$94,041 shall be provided by transfer from Premium on Bonds Account, \$1,322,580 shall be provided by transfer from other funds, \$150,000 shall be provided by transfer from Overlay Surplus, \$2,350,000 shall be provided by transfer from Unreserved Fund Balance, \$3,332,654 shall be provided from Water revenue, \$34,369 shall be provided from Septage Retained Earnings, and \$750,155 shall be provided from Wastewater revenues.

**MOVER: TOM GREENAWAY**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 5: FY 2016 OMNIBUS BUDGET (MOTION # 2)**

I move you, sir:

**MOVED:** For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 5 at the Annual Town Meeting, as follows:

That the Town Administrator be charged with responsibility for (1) the operation, maintenance, and administration of the Wayland Town Building, the Public Safety Building, the DPW Garage, the Baldwin Pond Water Treatment Plant, the Wastewater Treatment Facility, and the Cochituate Town Building, their equipment, and their grounds, as well as (2) the supervision, except for 2015 matters relating to policy, of all employees in those buildings, other than elected officials, non-salaried appointed officials, and employees of the School Department;

That the Director of Youth and Family Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Family Services and Staff at the Annual Town Meeting;

That property tax abatements granted to eligible senior citizens under Section 80 and 81 of Chapter 127 of the Acts of 1999 be funded by transfer from the overlay account;

That the Town accept the provisions of Section A of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2016;

That the Town accept the provisions of Massachusetts General Laws Chapter 71, Section 71E to establish a revolving fund for adult education and continuing education programs to be conducted by the Wayland Public Schools;

That the Town continue for Fiscal Year 2016 the Transfer Station revolving fund by vote of the 2011 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Board of Public Works for transfer station programs and activities, to be funded by user fees and recycling receipts collected; and that the amount to be expended not to exceed the sum of \$549,726;

That the Town continue for Fiscal Year 2016 the revolving fund established by vote of the 2006 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws by the Recreation Commission for recreation programs and activities, to be funded by user fees collected; and that the amount to be expended not to exceed the sum of \$595,315; and

That the Town continue for Fiscal Year 2016 the revolving fund established by vote of the 1994 Annual Town Meeting pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws for use by the Council on Aging for education, cultural and entertainment programs and purposes, to be funded by receipts from said programs; and that the amount to be expended not exceed the sum of \$50,000.



*MOVER: NANCY FUNKHOUSER*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 5: FY 2016 OMNIBUS BUDGET (MOTION # 3)**

I move you, sir:

**MOVED:** That each and every numbered item set forth in the Finance Committee's capital budget of Fiscal Year 2016 listed on pages 42-43 in the total amount of \$3,338,100 be appropriated for equipment and vehicle acquisitions and projects for the listed departments, each of which shall be a separate appropriation, and, of the total sum so appropriated, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,997,904 pursuant to the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8, \$176,439 shall be raised from taxation, \$565,000 shall be provided by transfer from the General Fund - Unreserved Fund Balance, \$310,000 shall be provided from water surplus, and \$0 shall be provided from Water revenues, and \$119,000 shall be provided from Ambulance receipts, and \$0 shall be provided from the Community Preservation Fund, and \$169,757 shall be provided by surplus capital closeouts, and further provided that the debt services costs related to the improvements to the Transfer Station and Recycling Center Facility shall be funded by transfer to the General Fund from fees paid for the use of said facility.

**MOVER: NANCY FUNKHOUSER**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 5: FY 2016 OMNIBUS BUDGET (MOTION # 4) –  
LINE 23 – CAPITAL BUDGET**

I move you, sir:

MOVED: That the Town :

a.) appropriate the amount of \$690,000 Dollars to supplement the appropriation of the amount of \$1,110,000. appropriated at the 2014 Annual Town Meeting for a total project cost of \$1,800,000. for the purpose of paying costs of repairs to the Claypit Hill School, 40 Adams Lane, Wayland, Massachusetts, 01778, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town has applied for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Permanent Municipal Building Committee. The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA’s Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town of Wayland; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Wayland and the MSBA;

b.) to meet said appropriation, transfer the sum of \$690,000 from Surplus Bond Proceeds; and

c.) authorize the School Committee to enter into all necessary and appropriate agreements for the repairs to the Claypit Hill School, including but not limited to a project funding agreement and a project scope and budget agreement with the MSBA, which agreements with the MSBA may include a provision requiring the Town to indemnify the MSBA for losses associated with the Town’s performance of its obligations and exercise of its rights under such agreements.

*MOVER: CHERRY KARLSON*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 6: COMPENSATION FOR TOWN CLERK**

I move you, sir:

**MOVED:** that the Town fix the salary and compensation of the elected Town Clerk at \$69,122.00 effective July 1, 2015.

DRAFT

*MOVER: MARYANNE PEABODY*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 7: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN**

I move you, sir:

**MOVED:** that the Town amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan previously adopted by the Town, by establishing the non-union wage and salary rates and the effective date for said rates as set forth in Appendix C on pages 129 through 137 of the Warrant for the 2015 Annual Town Meeting.

*MOVER: ED COLLINS*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 8: ACCEPT VALOR ACT TO ESTABLISH VETERANS  
PROPERTY TAX WORKOFF PROGRAM**

I move you, sir:

**MOVED:** that the Town accept the provisions of Massachusetts General Laws Chapter 59, Section 5N to establish a real property tax workoff program for veterans.

DRAFT

*MOVER: ANNE HARRIS*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 9: RESOLUTION REGARDING ESCO PROJECT CHANGES**

I move you, sir:

**MOVED:** that the Town adopt the resolution in support of changes to the Energy Services Company Capital project described at the 2014 Annual Town Meeting as printed on Pages 61 and 62 of the Warrant for the 2015 Annual Town Meeting.

*MOVER: ED COLLINS*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 10: ADOPT INSPECTION TESTING AND MAINTENANCE  
OF PRIVATELY OWNED WATER BASED FIRE  
SUPPRESSION SYSTEMS BYLAW**

I move you, sir:

**MOVED:** that the Town amend the Code of the Town of Wayland by adding thereto a new chapter entitled “Chapter 123 – Inspection, Testing, & Maintenance of Private Fire Hydrants and Underground and Exposed Piping” as printed on Pages 64 and 65 of the Warrant for the 2015 Annual Town Meeting.

*MOVER: GRETCHEN SCHULER*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 11: SET ASIDE COMMUNITY PRESERVATION FUNDS FOR LATER SPENDING**

I move you, sir:

**MOVED:** that the Town set aside from the Community Preservation Fund's uncommitted funds for later spending pursuant to Massachusetts General Laws Chapter 44B, Section 6:

- a.) \$95,897 for open space, but not including land for recreational use, \$95,897 for historic resources, and \$95,897 for community housing for Fiscal Year 2016;
- b.) \$163,305 for open space, but not including land for recreational use, \$163,305 for historic resources, and \$163,305 for community housing for underfunding of Fiscal Years 2007, 2008, and 2010 through 2014;
- c.) \$25,000 for administrative expenses; and
- d.) \$250,000 for historic resources.



*MOVER: GRETCHEN SCHULER*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 12: SET ASIDE FOR LATER SPENDING COMMUNITY PRESERVATION FUNDS FOR OPEN SPACE**

I move you, sir:

**MOVED:** that the Town set aside from the Community Preservation Fund's uncommitted funds for later spending \$2,000,000 for open space purposes pursuant to Massachusetts General Laws Chapter 44B, Section 6.

*MOVER: GRETCHEN SCHULER*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 13: TRANSFER COMMUNITY PRESERVATION FUNDS  
TO WAYLAND MUNICIPAL AFFORDABLE HOUSING  
TRUST FUND**

I move you, sir:

**MOVED:** that the Town appropriate and transfer from funds set aside from the Community Preservation Fund for community housing \$419,202 to be deposited in the Wayland Municipal Affordable Housing Trust Fund.

DRAFT

*MOVER: ELLEN TOHN*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 14: IMPLEMENT SOLAR ENERGY: POWER PURCHASE  
AND LICENSE OR LEASE AGREEMENT AND  
AUTHORIZATION FOR STRUCTURED TAX PAYMENT**

I move you, sir:

MOVED: that the Town

a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to enter into and execute an agreement for the purchase of solar energy or net metering credits generated by solar photovoltaic power generation systems to be installed and operated on canopies located in parking lots at the Wayland High School, the Wayland Middle School, and the Wayland Town Building at 41 Cochituate Road, Wayland, Massachusetts, and on the roof of the new Department of Public Works facility at 66 River Road, for a term of twenty (20) years;

b.) authorize the Board of Selectmen, the School Committee, and the Board of Public Works, as the case may be, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of said areas of land and buildings to the Board of Selectmen for the purpose of leasing, as lessor, or licensing said areas of land and buildings for a term of not more than twenty (20) years for the installation and operation of said systems thereon;

c.) authorize the Board of Selectmen, with approval of Town Counsel as to form, to lease, as lessor, or license said areas of land and buildings for a term of not more than twenty (20) years for said purposes; and

d.) authorize the Board of Selectmen, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H, with the approval of Town Counsel as to form, to enter into and execute a structured tax or payment in lieu of tax (PILOT) agreement in connection with the solar photovoltaic power generation systems to be installed and operated on canopies located in parking lots at the Wayland Middle School, Wayland High School, the Wayland Town Building, and on the new Department of Public Works facility roof located at 66 River Road upon such terms and conditions, as the Board of Selectmen shall deem to be in the best interest of the Town.

*MOVER: JOE NOLAN*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 15: FUND GLEZEN LANE TRAFFIC CONTROL MEASURES**

I move you, sir:

**MOVED:** that the Town appropriate \$120,000 to be expended by the Board of Public Works for the costs of design and construction of traffic control measures and improvements to Glezen Lane; and that said appropriation be provided by transferring \$120,000 from the General Fund – Unreserved Fund Balance.

*MOVER: JOE NOLAN*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 16: LAND AND EASEMENTS ACQUISITIONS FOR  
ROUTE 30 AND 27 INTERSECTION IMPROVEMENTS**

I move you, sir:

MOVED: that the Town:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, acquire by purchase, gift, eminent domain or otherwise, for roadway and utility purposes, the fee or any lesser interests in the parcels of land located at and near the Route 30-27 Intersection as shown on the plan entitled “Plan and Profile of Route 27 (Main Street) and Route 30 (Commonwealth Road) in the Town of Wayland Middlesex County Final Right-of-Way”, Final Right of Way Location Plan, Sheets 1 of 2 and 2 of 2, dated November 25, 2014, prepared by TEC, Inc., a reduced of copy of which plans are attached to the Warrant for the 2015 Annual Town Meeting as Appendix F and filed in the office of the Town Clerk;
- b.) appropriate \$100 to be expended by the Board of Selectmen for the acquisition of said parcels of land or lesser interests therein; and
- c.) provide for said appropriation by transferring \$100 from the General Fund – Unreserved Fund Balance.

*MOVER: TONY BOSCHETTO*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 17: WITHDRAW FROM MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT**

I move you, sir:

MOVED: that the Town:

- a.) vote to rescind its acceptance of Massachusetts General Laws Chapter 71, Sections 16 through 161, inclusive to establish a regional vocational technical school district with the towns of Arlington, Belmont, Concord and Lexington and such of the towns of Acton, Boxborough, Carlisle, Lincoln, Sudbury, Stow, and Weston which voted to accept such sections, and the construction, maintenance and operation of a regional school by said district in accordance with a proposed agreement filed with the Board of Selectmen; and
- b.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to (i) file with the Minuteman Regional Vocational School Committee a written request to prepare an amendment to the current Regional Agreement among the member towns of said district setting forth the terms and conditions by which the Town may withdraw from said district; and (ii) take all other actions necessary to withdraw from said district.

*MOVER: SHERRE GREENBAUM*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 19: AMEND CHAPTER 193 – STORMWATER AND LAND DISTURBANCE BYLAW**

I move you, sir:

**MOVED:** that the Town amend Chapter 193 of the Code of the Town of Wayland, the Town's Stormwater and Land Disturbance Bylaw, by making the revisions thereto set forth in Pages 80 through 88 of the Warrant for the 2015 Annual Town Meeting.



*MOVER: CHERRY KARLSON*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 21: TRANSFER DUDLEY WOODS PARCELS FOR  
PASSIVE RECREATION**

I move you, sir:

**MOVED:** that that the Town authorize the Board of Selectmen, with approval of Town Counsel as to form, to transfer the care, custody, management and control of the parcels of land on Pond Drive in Wayland, Massachusetts, being part of the area known as “Dudley Woods” and shown as Parcels 47B-055A and 47B-056G on the plan entitled “Plan of Land in Wayland, Massachusetts Prepared for Doran Road-Dudley Pond Comprehensive Feasibility Study” dated September 30, 2010, prepared by the Town of Wayland, Town Surveyors Office which parcels of land are shown in Appendix G, to the Recreation Commission for passive recreation purposes and for the purpose of the construction, installation, operation, repair and replacement of a subsurface community wastewater disposal system under said parcels of land, as long as said system does not interfere with such recreational use of the land.

*MOVER: BRUD WRIGHT*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 22: DESIGN AND CONSTRUCT TRAILS AND SIGNAGE  
AT DUDLEY WOODS**

I move you, sir

MOVED: that the Town:

- a.) appropriate \$85,000 to be expended for the design and construction of trails and signs on the Town-owned land on Doran Road, Curtis Road, Pond Drive, and Cross Street in Wayland, Massachusetts known as “Dudley Woods;” and
- b.) provide for said appropriation by transferring \$85,000 from uncommitted funds for recreational use in the Community Preservation Fund.

*MOVER: SHERRE GREENBAUM*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 23: ACQUIRE OPEN SPACE PARCEL IN SAGE HILL  
SUBDIVISION**

I move you, sir

MOVED: that the Town:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise, for conservation purposes, the fee in the parcel of land located on Concord Road and Bow Road in Wayland, Massachusetts containing 3.51 acres of land, more or less, being shown as “Open Space” on a plan of land entitled “Definitive Subdivision Plan of ‘Sage Hill’ in Wayland, MA”, dated February 26, 2010, prepared by Thomas Land Surveyors, and recorded with the Middlesex South Registry of Deeds as Plan No. 379 of 2010, a copy of which plan is on file in the Office of the Town Clerk;
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition of said parcel of land; and
- c.) provide for said appropriation by transferring \$1.00 from the General Fund – Unreserved Fund Balance.

**MOVER: LARRY KIERNAN**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 24: FUND CONSTRUCTION OF RAIL-TRAIL IN WAYLAND**

I move you, sir

MOVED: that the Town:

- a.) appropriate \$445,000 to be expended on the construction of the rail-trail along the old Massachusetts Central Railroad line in Wayland, Massachusetts; and
- b.) provide for said appropriation by transferring \$445,000 from the uncommitted funds in the Community Preservation Fund for said recreation project.

*MOVER: CHERRY KARLSON*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 25: ACQUIRE MUNICIPAL PARCEL IN TOWN CENTER  
AND CONVEY ACCESS EASEMENT IN TOWN  
CENTER**

I move you, sir

MOVED: that the Town:

- a.) authorize the Board of Selectmen, with approval of Town Counsel as to form, to lease, as lessee, or acquire by purchase, gift, eminent domain or otherwise, for municipal purposes, the fee or any lesser interest in all or any part of the parcels of land located on an off Boston Post Road (Route 20) and Andrew Avenue in Wayland, Massachusetts shown as Lot 4-1 (Assessors Map 23, Lot 52L), Parcel R-20-1 (Assessors Map 23, Lot 52S), Lot 8-1 (Assessors Map 23, Lot 52K) and Lot R-21 (Assessors Map 23, Lot 52M) on a plan entitled “Plan of Land in Wayland, MA”, dated December 12, 2013 prepared by Hancock Associates and recorded with the Middlesex South Registry of Deeds as Plan No. 1008 of 2013 and on a plan entitled “Plan of Land in Wayland, MA”, dated January 20, 2012 prepared by Hancock Associates, and recorded with the Middlesex South Registry of Deeds as Plan No. 305 of 2012, a copy of which plans are on file in the Office of the Town Clerk;
  
- b.) appropriate \$1.00 to be expended by the Board of Selectmen for the acquisition or lease of said parcels of land;

**MOTION ARTICLE 25**  
**PAGE TWO**

c.) provide for said appropriation by transferring \$1.00 from the General Fund – Unreserved Fund Balance;

d.) authorize the Wayland Wastewater Management District Commission, with the approval of Town Counsel as to form, to transfer to the Board of Selectmen an area of land comprising part of the westerly portion of the parcel of land on Elyssa Avenue, Wayland, Massachusetts shown as Parcel B on Land Court Plan 17983-I and shown as “Proposed 30’ Wide Access and Utility Easement to be Conveyed to Twenty Wayland, L.L.C.” in Appendix J to the Warrant for the 2015 Annual Town Meeting for the purpose of selling, conveying or otherwise disposing of an access easement on, over, across and through said area of land; and

e.) authorize the Board of Selectmen, with the approval of Town Counsel as to form to convey, sell or otherwise dispose of an access easement on, over, across and through said area of land described in Paragraph d above.

*MOVER: MARY ANTES*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 26: APPROPRIATE FUNDS FOR DUE DILIGENCE AND FEASIBILITY DESIGN FOR A PROPOSED COUNCIL ON AGING/COMMUNITY CENTER AT WAYLAND TOWN CENTER**

I move you, sir

**MOVED:** that the Town appropriate \$150,000 to be expended under the direction of the Board of Selectmen for the purpose of confirming program requirements, conducting a review of site conditions, identifying permitting needs and creating conceptual/schematic designs for a Council of Aging/Community Center building on the “Municipal Pad,” the parcels of land located on and off Boston Post Road (Route 20) and Andrew Avenue in Wayland Massachusetts shown as Lot 4-1, Parcel R-20-1, Parcel R-21 and Lot 8-1 on a plan entitled “Plan of Land in Wayland, MA,” dated December 12, 2013 prepared by Hancock Associates and recorded with the Middlesex South Registry of Deeds as Plan No. 1008 or 2013, a copy of which plan is on file in the Office of the Town Clerk; provide for said appropriation by transferring \$150,000 from the General Fund – Unreserved Fund Balance; and authorize the Town Administrator, with the approval by the voters of the Town of Wayland, to take any action necessary to carry out said program, review and designs.

*MOVER: TONY BOSCHETTO*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 28: ACCEPT CHAPTER 390 OF THE ACTS OF 2014 TO  
ESTABLISH A TAX TITLE COLLECTION REVOLVING  
FUND**

I move you, sir

**MOVED:** that the Town accept the provisions of Chapter 390 of the Acts of 2014 to establish a tax title collection revolving fund.

DRAFT



*MOVER: SHERRE GREENBAUM*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 30: APPROPRIATE FUND TO CREATE STEWARDSHIP  
AND LAND MANAGEMENT PLANS FOR  
CONSERVATION LAND**

I move you, sir

MOVED: that the Town:

a.) appropriate \$35,000 to create a town-wide stewardship report of conservation land and land management plans for Heard Farm and other town-owned conservation resources as determined by the Conservation Commission; and

b.) provide for said appropriation by transferring \$35,000 from funds set aside for open space purposes in the Community Preservation Fund.

*MOVER: SHERRE GREENBAUM*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 33: ACQUIRE 246 STONEBRIDGE ROAD**

I move you, sir

MOVED: that the Town:

- a.) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire, for open space purposes, by purchase, gift, eminent domain or otherwise, the land, with the improvements thereon, known and numbered as 246 Stonebridge Road, Wayland, Massachusetts, being shown on Assessors Map 41 as Parcel 001 and described in a deed recorded with the Middlesex South Registry of Deeds in Book 45103, Page 66;
- b.) appropriate \$342,000 for the acquisition of and demolition and removal of the existing structures from said property; and
- c.) provide for said appropriation by transferring \$342,000 from funds set aside for open space purposes in the Community Preservation Fund.

*MOVER: GRETCHEN SCHULER*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 34: FUND STABILIZATION OF TWO ARCHES OF  
STONE'S BRIDGE**

I move you, sir

MOVED: that the Town:

- a.) appropriate \$480,000 to be expended on the Stone's Bridge stabilization project; and
  
- b.) provide for said appropriation by transferring \$480,000 from funds set aside for historic preservation purposes in the Community Preservation Fund's Historic Preservation Fund.

*MOVER: BRUD WRIGHT*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 35: FUND DESIGN OF A MULTI-USE GRASS PLAYING FIELD AT OXBOW MEADOWS (FORMER NIKE SITE)**

I move you, sir

MOVED: that the Town:

- a.) appropriate \$20,000 for professional services for the design of a grass playing field on the Town-owned land on Oxbow Road in Wayland, Massachusetts known as “Oxbow Meadows;” and
- b.) provide for said appropriation by transferring \$20,000 from uncommitted funds for recreational use in the Community Preservation Fund.

*MOVER: JOE NOLAN*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 36: HEAR REPORTS**

I move you, sir:

**MOVED:** that the Town accept the 2014 Wayland Annual Report,  
and those reports included in Appendix N of the 2015 Annual  
Town Meeting Warrant.

DRAFT

*MOVER: JOE NOLAN*

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 37: CHOOSE TOWN OFFICERS**

I move you, sir:

**MOVED:** that the following persons be nominated for the following offices in accordance with Article 37 of the 2015 Annual Town Meeting Warrant:

As Trustees of the Allen Fund:

Lois M. Toombs  
Benjamin W. Johnson III  
Michael B. Patterson

As Fence Viewers:

The Selectmen

As Field Drivers:

The Constables

As Measurers of Wood and Bark:

Paul Doerr  
Lewis S. Russell Jr.  
Harry F. Sweitzer

As Surveyors of Lumber:

Susan W. Pope  
Jean B. Pratt  
Harry F. Sweitzer

and, there being no further nominations, the Town Clerk be instructed to cast one ballot for the same.

**MOVER: CHERRY KARLSON**

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 38: ACCEPT GIFTS OF LAND**

I move you, sir:

MOVED: that the Town:

- a.) accept, as a gift, from John E. Beard and Mary S. Beard, the conservation restriction on a 10.22 acre area of land, more or less, located on Hazelbrook Lane in the Town of Wayland, Massachusetts and shown as “Conservation Restriction” on the plan recorded with the Middlesex South Registry of Deeds as Plan No. 1051 of 2014, which was donated to the Sudbury Valley Trustees, Inc. and the Town, as co-holders and is recorded with said Registry of Deeds in Book 64750, Page 5; and
- b.) express its appreciation to said John and Mary Beard for their generosity in donating said conservation restriction.

MOVER: JOE NOLAN

**MOTION – 2015 ATM – APRIL 6, 2015**

**ARTICLE 39: SELL OR TRADE VEHICLES AND EQUIPMENT**

I move you, sir:

MOVED: that the Town authorize the Board of Selectmen to sell or otherwise dispose of the following surplus equipment in connection with the purchase of new vehicles and/or equipment:

| <u>Department</u> | <u>Vehicle/Equipment</u>    | <u>Year</u> |
|-------------------|-----------------------------|-------------|
| Fire Department   | Ford Expedition             | 2008        |
| Public Works      | Mobark Chipper              | 1990        |
| Public Works      | Ford F450 Maintenance Truck | 2000        |
| Public Works      | Ford F450 Dump Truck        | 2005        |
| Public Works      | Ford Ranger Pick Up         | 2007        |
| Public Works      | Wacker Loader               | 2010        |



**TOWN ADMINISTRATOR'S REPORT  
WEEK ENDING MARCH 27, 2015**

**IT – CAPITAL PROJECTS**

Attached is a recommendation from Leisha Simon recommending the town go forward with an expansion of the data storage project and the Library virtualization project. The Police Department virtualization project will be deferred until next year. There is new information that police videos can be deleted from the system after one year which increases the data storage space available at the Public Safety Building. Both Chiefs are in favor of deferring the project. The Library Project is recommended to go forward. 29 of the 35 library computers are over 5 years old. Library computers are used heavily by the public.

Numerous IT professionals comprising the School Technology Task Force are concerned that the IT capital projects did not include a quantification of how data storage is used and did not include the alternative of out sourcing data storage to vendors via the internet (The Cloud). Going forward, Dr. Stein and I are working to strengthen communication and bring in new IT technical resources. (See below)

**IT – WORKING WITH SCHOOLS ON A LONG TERM CAPITAL AND JOINT MANAGEMENT PLAN**

Dr. Stein, Leisha Simon, Beth Doucette and I worked together on the attached request to be presented to the Finance Committee to fund a project to assess and provide IT security, identify any short term tasks to improve the shared system, develop a long term capital plan and identify optimum staffing. I will ask Dr. Stein to work with me to establish a joint working group to shepherd this project.

**MODERATOR'S HEARING**

About 25 people attended the about 90 minutes Moderator's Warrant Article Hearing.

**RECREATION FIELDS**

Dr. Stein and I are working together with the Athletic Director, DPW Director and Recreation Director to get the fields open as soon as possible. They are still snow covered. The School's Order of Conditions for the turf field requires certain maintenance be started to stay in compliance. Maintenance is also required so that the fields are safe for play and rubber that was distributed on the field during the fall snow plowing is removed so that it isn't ground into the track.

**SOLAR**

Please see attached update from Facilities Director regarding the Solar Power Purchase Agreement.



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

Kenneth Keefe  
PUBLIC BUILDINGS DIRECTOR  
TEL. (508) 358-3786  
www.wayland.ma.us

BOARD OF SELECTMEN  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSPEH F. NOLAN

## MEMORANDUM

TO: Nan Balmer

FROM: Kenneth "Ben" Keefe

DATE: March 26, 2015

SUBJECT: Status of Solar Projects agreements with Ameresco

This memo summarizes the status of the agreements with Ameresco. Subject to Town Meeting approval of the solar article, we plan two agreements: the power purchase agreement (PPA) and a structured property tax (or PILOT) agreement.

I am coordinating the Town's negotiation of the PPA. Ameresco provided a template of the main body of the PPA in January and a first draft of PPA exhibits in February. The Energy Initiatives Advisory Committee and Don McCauley of McCauley Lyman, LLC (the legal member of the Peregrine Energy Group team) provided initial comments on the draft. The Energy Committee discussed certain PPA terms and language with the MAPC solar coordinator and with Sudbury staff and volunteers who worked on their projects. Town Counsel should review the draft agreement regarding customary municipal issues. I sent our initial markup to Ameresco on Wednesday March 25, 2015. We hope to review the document again with Ameresco early next week, and receive a revised, more complete draft soon thereafter.

The draft PPA we are working from is a solid document that reflects its use by Ameresco for other solar projects. We have not identified any major concerns. Our focus is to tighten the focus on Wayland's proposed projects, and to clarify the Town's rights in all potential contingent events. Our immediate goal is to work through the key provisions and language with Ameresco prior to Town Meeting. The project schedule dictates that the agreement be executed soon after Town Meeting, so that Ameresco can move forward with design and pre-construction work on the school projects.

Ameresco also provided a template draft structured tax (or PILOT) agreement to the Town in December. The draft agreement along with explanatory documents was forwarded to the Board of Assessors. The Board of Assessors has reviewed the materials. If Town Meeting authorizes negotiation of a structured tax agreement, I will coordinate with you on the next steps in negotiating such an agreement.

Respectively Submitted  
Kenneth Keefe

IT DIRECTOR'S UPDATED

Balmer, Nan

RECOMMENDATION ON CIP'S

**From:** Simon, Leisha  
**Sent:** Thursday, March 26, 2015 2:57 PM  
**To:** Balmer, Nan  
**Cc:** Doucette, Elizabeth; Knight, Ann; Stein, Paul; Irving, Robert; Houghton, David; Swanick, Patrick; Wilkins, Mark; augusto\_saviatto@wayland.k12.ma.us; bsheng@hiq.com  
**Subject:** FY16 IT CIP Requests  
**Attachments:** Capital Improvement Plan concise.docx

Nan

Based on recent discussions and a review of the current FY16 IT CIP requests submitted to the Town, I am recommending that we move ahead with the much needed Library and Town/School upgrades and defer the Public Safety Building upgrade for one year.

The main reason for this PSB CIP change is newly acquired knowledge that the WatchGuard videos can be deleted after 365 days. This reduces the need for the added storage. Also, the virtualization of desktops can be delayed and we will continue with desktop replacements and support for a few critical users through operational funds as needed.

Supporting detail is attached.

~~~~~

Kind regards,  
 Leisha Simon  
 Wayland IT Director / Town & Schools  
 41 Cochituate Road, Wayland MA 01778  
 508.358.3714 (W)

## **Capital Improvement Plan**

### **Critical Upgrades**

#### **LIBRARY SERVER UPGRADE & VIRTUALIZATION**

Cost: \$26,000

Source: Cash Capital

Description: Library Data Center server and software to replace 5-year old server and add virtualized desktop support for 20 of the 35 desktop computers used by Library staff and patrons.

An alternative would be to purchase the server and replace desktop computers as required. It is recommended, however, to implement virtualized desktop support to improve desktop quality control and maintenance management.

#### **PUBLIC SAFETY BUILDING VIRTUALIZATION PROJECT**

Justification to defer:

The Public Safety Building Data Center storage needs are sufficient to defer this project for the current fiscal year. Since the time of this request it was determined that HD media over one (1) year old can be purged, thus freeing up storage for ongoing needs.

#### **TOWN/SCHOOL DATA CENTER STORAGE UPGRADE**

Cost: \$100,000

Source: Borrowing

Description: Data Center storage device and software to replace 6-year old storage device, increase capacity and performance, and improve management. This request is based on an August 2014 estimate of \$83,000, with additional contingency for potential cost and service increases, and will be appropriated after a 2015 design and analysis. Based on this analysis the Town's IT Department will implement the solution that provides the best short- and long-term process for the Town.



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

CURRENT YEAR TRANSFER

REQUEST

IT SECURITY &

PLANNING

BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

DATE: MARCH 30, 2015  
TO: FINANCE COMMITTEE  
FROM: NAN BALMER, TOWN ADMINISTRATOR *nyb*  
RE: INFORMATION TECHNOLOGY: CURRENT YEAR TRANSFER REQUEST

I would like to request the Finance Committee's consideration of a Current Year Transfer in the amount of \$41,660 to be used to fund IT projects to improve the soundness and security of the joint school / town IT system. As discussed by the Finance Committee, this amount includes an estimated cost of \$25,000 for a long range IT plan. The request is in addition to the \$30,000 requested for an ongoing investigation and response to cyber-attacks on the Treasurer's office earlier this year. The security report is expected in 10 days. The new project would comprise interim steps to address immediate IT needs and create a foundation for Town Administration and the School Department to move forward together in FY 16 toward a forward capital plan and appropriate school / town organization, management, and staffing of a joint IT system.

As you know, the School Department in recent years has shouldered the entire responsibility for development of joint IT infrastructure and day to day management of IT systems. Much has been accomplished under the school IT Director's leadership including establishment of a joint data center and a joint fiber network. A "virtualization" project is underway which allows for remote access and maintenance of work stations. The Town and Schools now share core infrastructure and key personnel.

It is now apparent that the School Department and Town Administration need to balance responsibility for Information Technology through defined joint management and forward IT capital planning based on quantification of IT capacity, performance and utilization. Information Technology is the foundation for most of the progress and innovation that is now possible in the provision of municipal services to the public. Dedicated Town IT leadership and resources are required to undertake projects such as upgrading the MUNIS accounting system, improving the town website, implementation

of document management, and establishing on-line land use permitting and application processes. These projects must be supported by a compatible, jointly managed IT infrastructure.

Dr. Stein and I agreed upon a request for funding of 5 interim tasks, after which we will define next steps to develop joint management and a forward IT plan (Task 6). Tasks 1 - 5 will begin as soon as possible and be managed under the Town Administrator in cooperation with the Superintendent, working through IT staff. Tasks 1-5 will be accomplished within 60 days, during which a timeframe, scope of work and budget will be established for Task 6. Cost estimates for each task were requested from several potential IT contractors. More than one vendor may be required to get the quality of work we need.

### **IT PROJECT TASKS:**

- 1. IMPROVE SECURITY OF IT SYSTEM:** Review the recommendations of the contractor that is investigating recent cyber-attacks, examine existing IT security on joint IT systems and identify a program of immediate and ongoing actions and protocols. Supervise implementation of a new IT security program through IT staff.  
Deliverable: IT Security System Description and Maintenance Protocol.  
Estimated Cost: 40 Hours X \$85 per hour = \$3400
- 2. DEVELOP AND RECOMMEND IT SECURITY POLICY:** Review IT systems and develop an IT Security Policy appropriate for Wayland.  
Deliverable: Wayland IT Security Policy  
Estimated Cost: 40 Hours X \$85 per hour = \$3400
- 3. TRAIN EMPLOYEES IN IT SECURITY TO PREVENT AND MITIGATE CYBER-ATTACKS:** Many cyber – attacks can be prevented through trained computer users, and the effects of a cyber – attack can be mitigated through planned response by employees. This task requires identifying and providing training appropriate for each job category, primarily town and school administrative employees.  
Deliverable: Training and Materials  
Estimated Cost: 12 Hours X \$85 per hour = \$1020
- 4. TECHNICAL SUPPORT:** Provide technical support to IT staff under the direction of the Town Administrator and Superintendent primarily during the month of April when the IT Director will be chaperoning and teaching in the

Wayland / Beijing Exchange Program. Technical support will be used as required in collaboration with existing IT personnel and will inform the plan in Task 5.

Deliverable: Log of IT Technical Support Requests and Response Provided

Estimated Cost: 40 Hours X \$85 per hour = \$3400

- 5. DEVELOP AND IMPLEMENT SHORT TERM TACTICAL PLAN:** Review existing IT systems and develop and supervise the implementation of short term plan of high impact / low cost tactical tasks and activities to improve the soundness of the IT system.

Deliverable: 3 Month Tactical Plan and Report of Actions Accomplished

Estimated Cost: 64 Hours X \$85 per hour = \$5440

- 6. LONG RANGE IT CAPITAL PLAN AND JOINT IT MANAGEMENT, STAFFING & ORGANIZATION PLAN:** The conclusions from Tasks 1-5 above will inform the collaborative work of the Town Administrator and School Superintendent to define a scope of work to develop a long range IT Capital Plan and an IT Management, Staffing, and Organization Plan. The agreed upon plan will build on existing IT plans and will include but not be limited to: IT infrastructure including data storage and town and school administrative technology as well as IT security. The plans will require taking a look at the school / town IT organizational structure and the implications of any new structure for the IT annual operating budget and long term capital costs. Until this scope of work is established, the cost of the project is uncertain. A prior effort conducted by the Town in 2009 cost \$25,000.

Deliverable: Long Range IT Capital Plan and Joint Management, Staffing and Organization Plan

Estimated Cost: \$25,000

CC: Superintendent  
Board of Selectmen



NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
[www.wayland.ma.us](http://www.wayland.ma.us)

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## BOARD OF SELECTMEN

**Monday, March 30, 2015**  
**Wayland Town Building**  
**Large Hearing Room**

### CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice for Special Town Counsel Deutsch Williams Brooks DeRensis & Holland PC for Legal Services Rendered through February 28, 2015, Invoice 161, Account 5673-01M: \$2,946.34
3. Vote the Question of Approving the Invoice of Kopelman and Paige, PC, for Services Through February 28, 2015, Statement No. 103726: \$2,182.26



DEUTSCH WILLIAMS BROOKS  
DeRENSIS & HOLLAND, P.C.  
ONE DESIGN CENTER PLACE, SUITE 600  
BOSTON, MASSACHUSETTS 02210-2327  
(617) 951-2300  
Fax (617) 951-2323

RECEIVED

MAR 19 2015

Board of Selectmen  
Town of Wayland

\*\*\*\*\*  
INVOICE FOR LEGAL SERVICES  
\*\*\*\*\*

Town of Wayland  
Town Building  
41 Cochituate Rd.  
Wayland MA 01778

Page 1  
03/17/2015  
Account No. 5673-01M  
Invoice No. 161

Attn: Town Administrator

Labor

TOTAL CURRENT INVOICE

2,946.34

BALANCE DUE

\$2,946.34

**KOPELMAN AND PAIGE, P.C.**

101 ARCH STREET  
BOSTON, MA 02110

(617) 556-0007

---

STATEMENT NO. 103726

BOARD OF SELECTMEN  
WAYLAND TOWN HALL  
41 COCHITUATE ROAD  
WAYLAND, MA 01778

IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH      FEBRUARY 28, 2015  
MARCH 23, 2015

TOTAL FEES:      2,124.00

TOTAL COSTS:      58.26

BALANCE DUE:      2,182.26

**RECEIVED**

**MAR 25 2015**

Board of Selectmen  
Town of Wayland



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

## BOARD OF SELECTMEN

MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**REVISED LIST OF PUBLIC DOCUMENTS PROVIDED TO THE  
BOARD OF SELECTMEN FROM MARCH 20 2015, THROUGH  
AND INCLUDING MARCH 26, 2015, OTHERWISE NOT LISTED  
AND INCLUDED IN THE CORRESPONDENCE PACKET FOR  
MARCH 30, 2015**

### **Items Distributed To the Board of Selectmen – March 20-26, 2015**

1. Invitation to the Metropolitan Area Planning Council Annual Meeting, May 27, 2015

### **Items Distributed for Information and Use by the Board of Selectmen at the Meeting of March 23, 2015**

1. Email of 3/23/15 from Lenore Travis to Board of Selectmen re: Public Comment on Multi-Use Field on Oxbow Road
2. Letter of 3/23/15 from Leonard and Nancy Carapezza to Board of Selectmen re: Request to Discussion of Wastewater Issues at Board of Selectmen Meeting
3. Permanent Municipal Building Committee, Policies and Procedures
4. Draft Memorandum of 3/30/15 from Nan Balmer, Town Administrator, to Finance Committee, re: Information Technology
5. Map of 246 Stonebridge Road

### **Items Included as Part of Agenda Packet for Discussion During the March 30, 2015 Board of Selectmen's Meeting**

1. Memorandum of 3/25/15 from Jerry Heller and Rebecca Stanizzi, River's Edge Advisory Committee, re: Documents for River's Edge Update at March 30 Meeting
2. List of Articles for Annual Town Meeting with Positions of Board of Selectmen
3. Report of the Town Administrator for the Week Ending 3/27/2015



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

**BOARD OF SELECTMEN**  
**Monday, March 30, 2015**  
**Wayland Town Building**  
**Large Hearing Room**

**BOARD OF SELECTMEN**  
MARY M. ANTES  
ANTHONY V. BOSCHETTO  
EDWARD J. COLLINS  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

## **CORRESPONDENCE**

### **Selectmen**

1. Public Comment, Multi-Use Field on Oxbow Road
2. Public Comment, Budget for Snow Removal
3. Letter of 3/19/15 from Town Counsel Mark J. Lanza to Attorney Nicholas P. Shapiro re: John Moss et al v. Gary D. Lingley, Trustee et al, Case No. 13 MISC 480577
4. Letter of 3/23/15 from Leonard and Nancy Carapezza to Board of Selectmen re: Request for Discussion of Wastewater Issues at Board of Selectmen Meeting
5. Letter of 3/23/15 from Jerry L. Boos to Board of Selectmen re: Resignation from the WayCAM Board of Directors
6. Letter of 3/24/15 from Director's Report, Board of Health, March 18, 2015

### **Conservation Commission**

7. Determination of Applicability, 3/20/15, from Brian J. Monahan, Conservation Administrator, re: 74 Sears Road

### **Zoning Board of Appeals**

8. Decision No. 15-02, 65 Glezen Lane
9. Decision No. 15-03, 3 Winthrop Road

### **Minutes**

10. Community Preservation Committee, January 7, 2015
11. Economic Development Committee, January 8, 2015
12. Energy Initiatives Advisory Committee, March 3, 2015, March 11, 2015, March 18, 2015
13. Finance Committee, January 13, 2015
14. Historical Commission, February 23, 2015
15. Board of Public Works, March 10, 2015
16. Municipal Affordable Housing Trust Fund Board, February 4, 2015
17. River's Edge Advisory Committee, March 5, 2015

### **State**

18. Letter of 1/8/15 from Office of the Governor re: Chapter 90 Local Transportation Aid Funding for Fiscal Year 2015
19. Letter of 3/19/15 from Department of Transportation re: One Time Contract for Road Repairs Due to Extreme Weather
20. Letter of 3/24/15 from Office of the Attorney General to George Harris re: Closing of the Open Meeting Law Complaint File of January 29, 2015
21. Email of 3/26/15 from State Representative Carmen Gentile to Nan Balmer, Town Administrator, re: Initial Chapter 90 – H3187 Allocation and Pothole Fund

### **Federal**

22. Letter of 3/13/15 from Federal Emergency Management Agency re: Risk MAP Discovery Meeting for the Charles Watershed

**DiNapoli, MaryAnn**

---

**From:** Lenore Travis <lenore@travisresources.net>  
**Sent:** Monday, March 23, 2015 2:41 PM  
**To:** Selectmen  
**Subject:** multi use field on Oxbow Road

Hello,

I am unable to attend the meeting tonight, which I just learned about today in the WaylandNews, but would like to make a comment concerning your discussion of a multi use playing field at Oxbow Meadows.

Below are my comments, which are also being sent as a letter to the editor of the Wayland Town Crier.

Thank you your time.

Lenore Travis

Letter to the Editor

As a taxpayer of Wayland living in the neighborhood of the proposed multi use field in Oxbow Meadows, I was wondering if the town might be able to spend less money redeveloping the nearby Alpine soccer and baseball fields, which are also closer to Rt. 126.. It seems the soccer fields and baseball diamond get very little use, while there is ample parking and a very nice playground for younger siblings. Wouldn't this existing recreation area need less effort and financial resources to support town athletics?

Further, the proposed Oxbow Meadows site supports a handicap accessible trail that is used by individuals who are unable to access other trails. This trail surrounds a field and woods that serve as habitat for a wide variety of wild life, including birds, coyotes and deer. Bulldozing this site for a soccer field, especially while existing underutilized fields are available, goes against the intentions of the Wayland community when they previously voted to install the handicapped trail and create a wild life habitat.

Lastly, neither the Wayland or Lincoln Police departments have been able to properly contain unsafe driving practices on this country road. Sharing this road with speeding drivers are many family walkers and bicyclers. Additional traffic will only compound the problem on a road that has some difficult curves to traverse, and no sidewalks.

Lenore Travis, Oxbow Road

142 Glezen Lane  
Wayland, MA 01778  
March 24, 2015

Dear Select Board,

We appreciate all the work that went into getting Wayland through this winter, both visible and not that visible.

I hope that future budgets will reflect the now real expense needs of winter in this area and that we will not have to run around taking bits and pieces from other reserved funds. This is probably climate change, not an unusual event, Winter 2015. We know it took a gigantic toll on budgets throughout Massachusetts and the nation and coming winters will probably not be that different.

This means we may need to cut back in some areas and we may need to raise taxes, bring in moneys to cover needed expenses. I am all for it. Otherwise we just have our head in the sand. We are having added trouble from weather; this is beyond our control; so added resources are needed to address all this down the road.

Thank you for putting calm heads together and seeing real facts and making decisions based on facts and honest common sense kinds of policy decisions. I will never not vote for someone because the person wants to raise taxes to meet added expenses.

Sincerely,



Judy Orloff

RECEIVED

MAR 26 2015

Board of Selectmen  
Town of Wayland

2

RECEIVED

MAR 23 2015

Board of Selectmen  
Town of Wayland



TOWN OF WAYLAND  
MASSACHUSETTS  
01778

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-7701  
FAX: (508) 358-3627

March 19, 2015

Nicholas P. Shapiro, Esq.  
Phillips & Angley  
One Bowdoin Square  
Boston, MA 02114

RE: John Moss, et al v. Gary D. Lingley, Trustee, et al;  
Case No. 13 MISC 480577 (KCL)

Dear Mr. Shapiro:

Enclosed with respect to the above-referenced case please find Intervener Town of Wayland's Second Supplemental Answer to Plaintiffs' Interrogatory No. 18.

Thank you for your attention to this matter.

Very truly yours,

Mark J. Lanza  
Town Counsel

MJL/ms

Enclosure

cc Gary D. Lingley & AnnMarie Lingley (w/ encl.)  
Board of Selectmen (w/ encl.)  
Board of Public Works (w/ encl.)  
Conservation Commission (w/ encl.)  
Land Court (w/ encl.)

COMMONWEALTH OF MASSACHUSETTS  
THE TRIAL COURT

MIDDLESEX, ss.

LAND COURT DEPARTMENT  
CASE NO. 2013 MISC 480577 (KCL)

\_\_\_\_\_) )  
JOHN MOSS and AMY BORNER, ) )  
 ) )  
Plaintiffs, ) )  
 ) )  
v. ) )  
 ) )  
GARY D. LINGLEY and ) )  
ANNMARIE LINGLEY, TRUSTEES ) )  
of the J.M.J. Realty Trust, ) )  
 ) )  
Defendants, ) )  
 ) )  
and ) )  
 ) )  
TOWN OF WAYLAND, acting by and ) )  
through its BOARD OF SELECTMEN, ) )  
BOARD OF PUBLIC WORKS and ) )  
CONSERVATION COMMISSION, ) )  
 ) )  
Intervener. ) )  
\_\_\_\_\_) )

**INTERVENER TOWN OF WAYLAND'S SECOND SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 18 OF PLAINTIFFS' FIRST SET OF INTERROGATORIES**

The Town of Wayland, acting by and through its Board of Selectmen, Board of Public Works and Conservation Commission (the "Town"), pursuant to Rule 26 (e) and Rule 33 of the Massachusetts Rules of Civil Procedure, for its second supplemental answer to Interrogatory No. 18 of the Plaintiffs John Moss' and Amy Borner's First Set of Interrogatories (the "Interrogatories") by replacing its first supplemental answer to said interrogatory with the following answer.



### General Objections

1. The Town objects to the Interrogatories and the instructions contained therein to the extent that they impose upon the Town obligations beyond those imposed by the Massachusetts Rules of Civil Procedure.

2. The Town objects to the Interrogatories to the extent that they seek information that is protected from discovery by the work product doctrine, the attorney-client privilege, or any other privilege cognizable at law.

3. The Town objects to the Interrogatories to the extent that they seek information that is not relevant to the subject matter of this action or information that is not reasonably calculated to lead the discovery of admissible evidence.

4. The Town object to the Interrogatories to the extent that they seek information that is not within its possession, custody, or control.

5. The Town objects to the Interrogatories to the extent that they are over broad, vague, ambiguous, unduly burdensome, and oppressive.

6. The Town objects to the Interrogatories to the extent that they seek information which is a matter of public record.

7. The Town objects to the Interrogatories to the extent that they seek information that has already been provided to the Plaintiffs by the Town or others.

**SECOND SUPPLEMENTAL ANSWER TO INTERROGATORY**

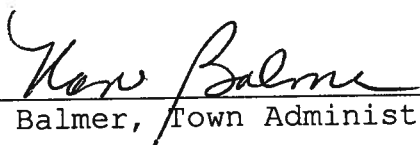
**INTERROGATORY NO. 18**

Describe the nature of the Town's use of Crown Path, including when such use began, frequency of use, method of use, season of use, and what Town agents used crown path.

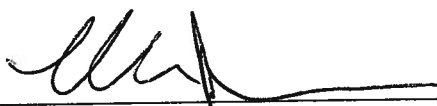
**SECOND SUPPLEMENTAL ANSWER NO. 18**

See Supplemental Answer No. 16. Further, it is described in Exhibit D to the Town's Motion to Intervene in this action. On February 9, 2005, former Town Building Commissioner and Zoning Enforcement Officer Daniel F. Bennett determined that, based on his observations during a site visit at Crown Path, Crown Path could be used for vehicular traffic.

Signed under the penalties of perjury this 19<sup>th</sup> day of March, 2015.

  
\_\_\_\_\_  
Nan Balmer, Town Administrator

Objections by:

  
\_\_\_\_\_  
Mark J. Lanza BBO#549994  
Town Counsel, Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778  
(508) 358-3624/(978) 369-9100  
e-mail: mjlanza@comcast.net

DATED: March 19, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that March 19, 2015, I have served the above document on the Plaintiffs' counsel of record and a copy of it on Defendants, who are pro se, via first class mail, postage prepaid.



---

Mark J. Lanza

Leonard and Nancy Carapezza  
233 Boston Post Road  
Wayland, MA 01778  
508.358.2456

March 23, 2015

Board of Selectmen  
Town of Wayland  
Wayland, MA 01778

Re: Wastewater 2015

Dear Board members:

With a settlement reached between the Town of Wayland and Wayland 20, I request a time on the board's agenda to open a process for discussion, negotiation and a settlement related to the wastewater betterments and fees for the users of the wastewater plant who are not a part of the Wayland 20 development.

As users, we want to work with the board for a reasonable solution. Our belief is that this is possible and we are willing to negotiate. I'm sure that you are aware that 34 users have applied for abatements of their betterment charges.

As users, we inherited the agreement that the Town created from the onset of the Town Center development and the building of a new plant. How do we and the Town move forward with an equitable solution?

On behalf of the small Wayland businesses and Wayland residents, please let us work together to resolve this conundrum.

Thank you

Sincerely,

  
Nancy Carapezza

C: Nan Balmer, Town Administrator

Jerry L. Boos, CPA

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MAR 23 2015

Board of Selectmen  
Town of Wayland

March 23, 2015

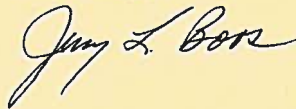
Members of the Board of Selectmen  
Town of Wayland  
Wayland Town Hall  
Wayland, MA 01778

Dear Members of the Board:

It is with some regret that I find I must resign from the WayCAM Board of Directors. I wish to spend more time with my family, none of whom live in the Boston Metropolitan Area. My resignation will be effective from midnight March 31, 2015. While this may seem to be a short notice, the next meeting of the WayCAM Board is not until April 30, so there should be sufficient time for a smooth transition.

I wish the Town and WayCAM the best with this valuable service.

Very truly yours,





# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOS

Julia Junghanns, R.S., C.H.O.  
DIRECTOR OF PUBLIC HEALTH  
TEL. (508) 358-3617  
www.wayland.ma.us

## Wayland Board of Health Director's Report March 18, 2015

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MAR 20 2015

Board of Selectmen  
Town of Wayland

Septic work and building approvals- Things are gearing up for septic system installations, soil testing and field work to likely begin next month sometime. We have started to receive many building approval applications. There are some emergency septic repairs and we continue to have a push on the backlog of septic and building plan reviews (with the help of consultants).

Building plans for 373 Commonwealth Road affordable housing project-We received plans for their building approval. They will likely be pushing to move on this project as soon as the weather breaks for spring.

Office staff has been working on cleanup and office organization.

PHN/Nurse Leader Ruth Mori update-Ruth has been working on/in communication with the vaccine company that we purchase from to work on our allocations for purchasing flu vaccine for next flu season.

Also, also in the process of working on acquiring needed portable technology (desktop/portable) for our school nursing stations through school health nursing grant funds and will determine if town funds are needed although will be minimal. Also, working to utilize Region 4A grant funding in terms of emergency preparedness; replacement of an old AED at the High School Field House location with a newly purchased AED (old aed at this time is still usable and presently located in HS health room), other items acquired were bins for cots in our MRC trailer 2, multi-use emergency charging stations, portable printers for flu clinic administration and EDS sites, assorted portable wheeled coolers for vaccine transportation.

Additionally, Ruth is working on continued follow-up on communicable diseases through the maven system (mass access virtual epidemiological system), as well as handling urgent student school health issues, working closely with the School Nurses including meetings as a group, and review of student vaccination records.

Vaccine provider enrollment has been completed, we are awaiting acknowledgement from the state. Entry into the state MIIIS system is still in process, we are about 75% completed, tax work-off help is being utilized at this time and process is being evaluated for time-effectiveness and future staffing needs.

Alice Training (Alert lockdown inform counter evacuate)-All office staff (and town building staff) attended this training as presented by the Town Police Department to educate town staff on what to do in the event of an active shooter in town building.

6

Tobacco Control Inspections-All tobacco retailers in town were inspected for compliance with the new Tobacco Regulations.

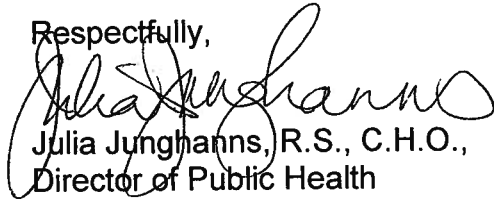
Pools-The annual inspections are in the process for the 2 year-round pools (Community Pool and Longfellow).

Public Safety Building sewer pump problem-There have been 2 events of sewerage backup/overflow in the basement of the building. Facilities management is in the process of trouble-shooting the problem and service master has been contracted for the cleanup.

Food inspections-Food inspector Beth Grossman conducts rounds of inspections every week to meet compliance with state regulations.

Annual permits-over 95% of our annual permit renewal fees have been collected.

Respectfully,

A handwritten signature in black ink, appearing to read 'Julia Junghanns', written in a cursive style. The signature is positioned above the printed name and title.

Julia Junghanns, R.S., C.H.O.,  
Director of Public Health



TOWN OF WAYLAND  
MASSACHUSETTS  
01778  
**CONSERVATION COMMISSION**

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3669  
FAX: (508) 358-3606

March 20, 2015

Carlos Melero-Montes  
Elizabeth A. Konig  
74 Sears Road  
Wayland, MA 01778

Re: DETERMINATION OF APPLICABILITY [D-857] - WETLANDS PROTECTION ACT (WPA)  
and Chapter 194 Permit – 74 Sears Road, Wayland

Dear Mr. Melero-Montes and Ms. Konig:

Enclosed please find the original Wetlands and Water Resources Protection Bylaw Permit (Chapter 194) and a Determination of Applicability issued by the Wayland Conservation Commission regarding the approved septic project at 74 Sears Road in Wayland. The Chapter 194 Permit allows the project subject to the conditions specified in the Permit. The Determination of Applicability issued pursuant to the WPA is shorter, deferring to the Chapter 194 Permit. No other work is permitted by this decision.

If you have any questions, please contact me at (508) 358-3669. Thank you.

Sincerely,

Brian J. Monahan  
Conservation Administrator

Enclosure

cc: Building Department w/enc.  
Town Clerk w/enc.  
DEP – NERO w/enc.  
Grady Consulting LLC w/enc.  
Board of Selectmen  
Board of Health  
Planning Board  
Abutters  
File

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MAR 20 2015

Board of Selectmen  
Town of Wayland

7





**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778

**BOARD OF APPEALS**

RECEIVED  
*Selectmen*  
MAR 26 2015

Board of Selectmen  
Town of Wayland

TOWN BUILDING  
41 Cochituate Road  
TELEPHONE: (508) 358-3600  
FAX: (508) 358-3606

**DECISION NO. 15-02**

**NAME OF APPLICANT:**

NIKLAS and KATHRYN ANDERSSON

**APPLICATION FOR:**

Any necessary approvals, special permit and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (demolish existing carport and construct 2-car garage with master bedroom suite above) within required side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.3.2, 702.1, 703.2, 1604.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 65 GLEZEN LANE, which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT.

**DATES OF HEARING:**

February 24, 2015 and March 10, 2015.

**BOARD CONDUCTING HEARING AND RENDERING DECISION:**

Eric Goldberg, Thomas White, Aida Gennis, Michael Connors and Argie Shapiro.<sup>1</sup>

**DECISION:**

Special Permit granted, with conditions.

**VOTE OF BOARD:**

5-0 in favor.

---

<sup>1</sup> Michael Thomas was a member of the panel during the February 24, 2015 hearing, but was unable to attend the March 10, 2015 hearing. Eric Goldberg reviewed the transcript and substituted for Michael Thomas.

**CONDITIONS:**

1. Construction shall be in substantial conformity with the revised plans filed with the Building Department on March 2, 2015.
2. The applicant must obtain any other necessary permits and approvals from other municipal boards having jurisdiction over this matter as may be required.

**FACTS AND REASONS:**

The property in question is located at 65 Glezen Lane. The Applicant seeks zoning relief as may be necessary to demolish an existing carport and construct a 1-car garage with a master bedroom suite above. The property is pre-existing non-conforming due to insufficient lot area, insufficient frontage and side yard setback.

Because the Applicant seeks to alter and extend a pre-existing, nonconforming property, under M.G.L. c. 40A, § 6 and § 401.1.2 of the zoning bylaw, the Applicant needs a special permit, and must demonstrate to the Board that the proposal “shall not be substantially more detrimental than the existing nonconforming structure or use to the neighborhood.” The current house contains 1,928 square feet of living space. The new finished space will add 1,012 square feet, an increase in gross floor area of 52.5%. The existing structure is within the side yard setback on the northeastern side of the property. The proposed 1-car garage addition will encroach further into the side yard setback by less than three additional feet. The Applicant had originally proposed to construct a 2-car garage resulting in substantially greater encroachment into the setback. The Board considered the requested encroachment from the 1-car garage an acceptable compromise.

Under § 203 of the bylaw, in order for the applicants to receive a special permit, they must further demonstrate to the satisfaction of the Board that “the use of the premises [as altered]...shall not be against the public interest, shall not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and that such use shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety.”

Member Eric Goldberg as the acting Chairman asked whether any members of the public wished to be heard. No member of the public appeared or asked to be heard.

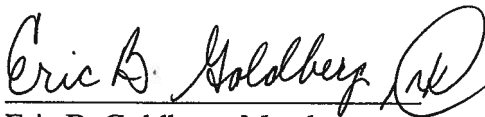
By a vote of 5-0, the Board finds pursuant to G.L. c. 40A, § 6 that the proposed construction would increase the existing nonconformity by expanding the existing structure on a nonconforming lot. Nonetheless, the Board further finds that the proposed construction is not against the public interest, nor does it derogate from the character of the neighborhood, and is not detrimental, offensive or injurious to the public health or safety and thus meets the requirements of the zoning bylaws.

Thus, the Board concludes that the proposed detached garage will not be substantially more detrimental than the existing nonconforming structure to the neighborhood and by a vote of 5-0 votes to approve the Special Permit subject to the conditions set forth herein.

**DATE OF FILING OF DECISION:**

March 24, 2015

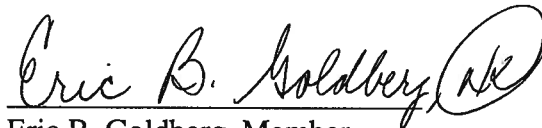
**BY ORDER OF THE BOARD**

  
Eric B. Goldberg, Member

**CERTIFICATION:**

The Board of Appeals, by delivery of a copy of this Decision to the Applicants, Niklas and Kathryn Andersson does hereby certify that copies of this Decision and all plans referred to in this Decision have been filed with the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

**BOARD OF APPEALS**

  
Eric B. Goldberg, Member



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**BOARD OF APPEALS**

*Selected*  
**RECEIVED**  
**MAR 26 2015**

Board of Selectmen  
Town of Wayland  
TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3600  
FAX: (508) 358-3606

**DECISION NO. 15-03**

**NAME OF APPLICANTS:**

PHILLIP and GLORIA VILLARI

**APPLICATION FOR:**

Any necessary approvals, modifications, special permits, variances as may be required to renew a special permit for a home occupation (physical & massage therapy) under the Town of Wayland Zoning Bylaws Chapter 198, Sections 104, 201, 203, 901.1.2, and 804—Table of Permitted Accessory Uses by District (Use #62). The property is located at 3 WINTHROP ROAD, which is in a SINGLE RESIDENCE DISTRICT.

**DATE OF HEARING:**

March 10, 2015

**BOARD CONDUCTING HEARING AND RENDERING DECISION:**

Aida Gennis, Eric Goldberg, Thomas White, Michael Connors, Argie Shapiro

**DECISION:**

Special Permit for a home occupation in a single residence district allowed with conditions.

**VOTE OF THE BOARD:**

Unanimous (5-0)

**CONDITIONS:**

1. Applicant Gloria Villari must continue to maintain her required professional licensure and continue to comply with all relevant state and local regulations applicable to therapists performing massage and physical therapy. This special permit is granted to Gloria Villari personally, and it will lapse under any of the following circumstances: if she fails to renew or maintain any of her required professional licensure or Board of Health licenses and permits; if she otherwise ceases to be duly licensed to operate as a massage and physical therapist; or if she is no longer an owner/occupant.<sup>1</sup>
2. The applicants must continue to comply with the conditions set forth in Section 901.1.2:
  - (a) The use of the dwelling unit for the home occupation must remain incidental and

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1

This special permit cannot be renewed if it is allowed to lapse under these circumstances. If the special permit lapses, the applicants cannot operate this home occupation unless and until they are granted a new permit under the then-current law.

- subordinate to its use for residential purposes, and the massage and physical therapy may be conducted only in the existing breezeway. [Section 198-901.1.2.1]
- (b) The applicant may not have more than one nonresident employee on the site at the same time. [Section 198-901.1.2.2]
  - (c) There must be no change in the outside appearance of the house, or any visible or audible evidence (other than the sign described below) detectable from the property line that the applicant is conducting a massage and physical therapy business in the home. [Section 198-901.1.2.3]
  - (d) The applicant may place one sign, not larger than 2 sq. ft. in area and bearing only her name and occupation (using words only), on the house. If such a sign is visible, it must be flush-mounted to the house and cannot be illuminated. [Section 198-901.1.2.3]
  - (e) The home occupation cannot generate traffic, including commercial delivery vehicles, in greater volumes than would normally be anticipated in a residential neighborhood. [Section 198-901.1.2.4]
  - (f) The applicant must not allow any hazard or nuisance, including offensive noise, smoke, dust, odors, heat, glare, noxious fumes, or vibrations, to be created by this home occupation to any greater or more frequent extent than would normally be expected in the neighborhood under normal circumstances wherein no home occupation exists. [Section 198-901.1.2.5]
  - (g) There can be no display of goods or outside storage. [Section 198-901.1.2.6]
  - (h) Parking for the home occupation must be met on-site. [Section 198-901.1.2.7]
3. The applicant may see no more than 30 clients a week, between the hours of: 7 AM-8:30 PM, Monday through Saturday.
4. This special permit shall expire five (5) years from the date of this decision. It may be renewed, provided that an application is made and a hearing conducted by this Board before it expires.

### **FINDINGS AND REASONS:**

#### *Applicants' request:*

The Applicants, Phillip and Gloria Villari, seek to renew a special permit granted by this Board in ZBA Decision No. 03-23, dated June 27, 2003 and ZBA Decision No. 04-18 dated May 25, 2004 and ZBA Decision No. 09-10 dated April 28, 2009. The permit allows Gloria Bouchard Villari to operate a massage and physical therapy practice in her residence at 3 Winthrop Road, which is in a Single Residence district. Under Wayland Zoning Bylaw Chapter 198, Sections 901.1.1 and 901.1.2, a home occupation is a permitted accessory use in a single residence district under specified conditions. If the homeowner does not intend to have clients or employees, the home occupation is allowed as of right, pursuant to Section 901.1.1. If the homeowner intends to see clients or to have a nonresident employee, a special permit from the Zoning Board of Appeals, issued pursuant to Section 901.1.2, is required. Ms. Villari sees clients in her home; therefore, she needs a special permit.

The Applicant, however, did not file a timely renewal and so her previous special permit lapsed. The Applicant must now seek a new Special Permit.

Materials submitted as part of the application indicate that Ms. Villari has maintained her licenses described in the 2004 permit and submitted with this application. She testified that she will continue to do so. A Memo dated February 4, 2015 from the Director Junghanns, confirmed

that the applicant's licenses are current, and that the last inspection conducted on January 26, 2015 found the premises and facilities to be clean and sanitary. The Applicant submitted a Business Certificate from the Town of Wayland which is current until January 15, 2019.

The Applicant requests the same hours of operation which are from 7 a.m. -- 8:30 p.m. and to see no more than 30 clients per week as was granted in her special permit from 2009.

The Applicant uses an enclosed, heated breezeway, 14 ft. by 14 ft. or 196 sq. ft. in area, for seeing her massage and physical therapy clients. According to assessors' records, the house contains 2,718 sq. ft. of living area. The home occupation can occupy no more than 25% of the space (in this case, 679.5 sq.ft.) or 500 sq. ft., whichever is less. Based on Ms. Villari's testimony at the hearing, the Board finds that the space devoted to the home occupation is in compliance with the bylaw.

*Findings required under the law.*

Under **Section 198-104**, a home occupation is defined as “[a]ny activity customarily carried out for gain by a resident, conducted as an accessory use in the resident’s dwelling unit or an accessory structure.” Among the examples of such an occupation is an office for a doctor or dentist.

Under **Section 198-901.1.2** of the current Wayland Zoning Bylaw, the Board may grant a special permit for a home occupation in a zoning district specifically referenced in **Section 804—Table Of Accessory Uses.**

of Public Health, Julia

Under **Section 804—Table Of Accessory Uses, Use 62: Home occupation (§ 198-901.1.2)** is allowed by special permit in a single residence district.

Under **Section 198-901.1.2** of the Wayland Zoning Bylaw, the Board may grant the special permit to a resident owner, provided all of the following conditions are met:

- 901.1.2.1. The use of the dwelling unit, or where permitted, an accessory structure, by the resident for business is incidental and subordinate to its use for residential purposes and occupies no more than 25% of the gross floor area or 500 square feet, whichever is less, within the dwelling unit on the premises;
- 901.1.2.2. No more than one nonresident employee shall be permitted on site;
- 901.1.2.3. There is no change in the outside appearance of the building or premises or any visible or audible evidence detectable from the property line of the conduct of such business except that one sign not larger than two square feet in area bearing only the name of the practitioner and occupation shall be permitted (words only). The sign shall be flush-mounted to the dwelling unit and shall not be illuminated.
- 901.1.2.4. Traffic, including traffic by commercial delivery vehicles, shall not be generated in greater volumes than would normally be anticipated in a residential neighborhood;
- 901.1.2.5. No hazard or nuisance, including offensive noise, smoke, dust, odors, heat, glare, noxious fumes or vibrations, shall be created to any greater or more frequent extent than would normally be expected in the neighborhood under normal circumstances wherein no home occupation exists;
- 901.1.2.6. There shall be no display of goods or outside storage;
- 901.1.2.7. Parking for the home occupation shall be met on-site.

*The Board's findings and reasons.*

Based on Ms. Villari's testimony at the hearing and the evidence presented to the Board, the Board finds that the space devoted to the home occupation is in compliance with the bylaw, the

Applicant has met all other conditions of the bylaw and that the applicant is in compliance with the other conditions set by the Board.

One letter in support of the Applicant was received by the Board from a resident at 7 Winthrop Road. No one from the neighborhood appeared at the hearing. The Board is not aware of any public opposition to this application or of any problems arising during any of the prior years the Applicant has operated this home occupation. The Board finds that granting a special permit for five years from the date of this decision is appropriate.

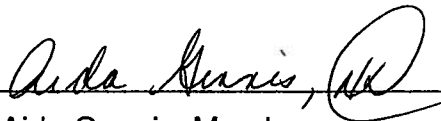
The Board finds that the Applicant met the requirements to renew a special permit to conduct a home occupation. The special permit is granted for five years, provided Ms. Villari continues to maintain her required professional licensure and continues to comply with all relevant state and local regulations applicable to therapists performing massage and physical therapy and continues to be an owner/occupant. The Applicant must renew this permit, before it expires, if she wishes to continue her home occupation. This will give the community an opportunity to raise any concerns.

Therefore, the Board grants the special permit with the conditions specified.

**DATE OF FILING DECISION**

**BY ORDER OF THE BOARD OF APPEALS**


March 24, 2015

  
Aida Gennis, Member

**CERTIFICATION:**

The Board of Appeals, by delivery of a copy of this decision to the applicants, PHILLIP and GLORIA VILLARI, does hereby certify that copies of this decision and all plans referred to in this decision have been filed with the Planning Board of the Town of Wayland and with the Town Clerk of the Town of Wayland.

**BOARD OF APPEALS**

  
Aida Gennis, Member

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
January 7, 2015**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Maureen Cavanaugh, Bob Goldsmith, Anna Meliones, Ira Montague, Elisa Scola, John Sullivan, Susan Weinstein. These members represented a quorum of the Committee.

**Other Attendees:** Sherre Greenbaum, Conservation Committee, Larry Kiernan, Brian Monahan, Conservation Administrator

The meeting was called to order at 7:40 p.m.

**Public Comment:** None.

**Minutes:** Susan Weinstein motioned for the minutes from the November 19, 2014 Community Preservation Committee (CPC) meeting, as corrected, be approved. Elisa Scola seconded the motion. The minutes, as corrected, were approved (8-0-0). No minutes from the December 17, 2014 meeting were provided.

**Annual Town Meeting (ATM) Articles**

The Committee reviewed and voted on draft articles based on Community Preservation Act (CPA) project applications.

- **Set Aside:** Gretchen Schuler explained that Community Preservation Act (CPA) funds that have been set aside for each category (10% required) have not been sufficient for the past five or six years. This is a housekeeping article to augment each category from uncommitted fund so that the 10% set aside will have been met. It is noted that this article may need to be revised, depending upon clarification of the current uncommitted funds allocations. Following discussion, Susan Weinstein motioned for the draft ATM article augmenting each category from the uncommitted fund, be approved. Ira Montague seconded the motion. The draft article, as currently written, was approved (8-0-0).
- **Housing Trust Set Aside:** The Housing Committee requested that the affordable housing funds be set aside to the Wayland Municipal Affordable Housing Trust, as previously approved at 2014 ATM. Following discussion, Susan Weinstein motioned for the draft ATM article, as amended, setting aside funds from the Community Housing fund to the Wayland Municipal Affordable Housing Trust Fund, be approved. Ira Montague seconded the motion. The draft article, as amended, was approved (8-0-0).
- **Stone's Bridge:** Discussed allocating funds to repair one-half of the bridge for an amount not to exceed \$480,000. Following discussion, Gretchen Schuler motioned for the draft ATM article, as amended, allocating up to \$480,000 to stabilize half of the bridge, be approved. Elisa Scola seconded the motion. The draft article, as amended, was approved (7-0-1).
- **Open Space Set-Aside:** The Conservation Commission (ConComm) has requested that CPA funds for the Open Space fund be set aside from the Uncommitted fund. Following discussion, Elisa Scola motioned for the draft ATM article, as amended, to move \$2 million from the Uncommitted fund to the Open Space fund, be approved. John Sullivan seconded the motion. The draft article, as amended, was approved (8-0-0).
- **Land Stewardship Report and Land Management Plan for Conservation Land:** The ConComm has requested funds, not to exceed \$35,000 for the preparation of a land stewardship report and land management



plans for conservation lands. Discussed that this is a precursor to updating the Town's Open Space Master Plan. Following discussion, Susan Weinstein motioned for the draft ATM article, as amended, allocating \$35,000 for a land stewardship report and land management plan be approved. Ira Montague seconded the motion. The draft article, as amended, was approved (8-0-0).

- **246 Stone Bridge Road Acquisition:** The ConComm has requested \$342,000 to acquire this property adjacent to the Sudbury River for use as open space. The amount includes funds for demolition of the existing house on the lot. Following discussion, Maureen Cavanaugh motioned for the draft ATM article, as amended, to allocate \$342,000 to acquire 246 Stone Bridge Road, be approved. Susan Weinstein seconded the motion. The draft article, as amended, was approved (8-0-0).
- **Rail Trail:** Larry Kiernan, Wayland representative to the Mass Central Rail Trail (MCRT) presented an updated cost estimate to construct a rail trail. Following discussion, John Sullivan motioned for the draft ATM article, as amended, to allocate \$445,000 (extra funds were added to the rail-trail estimates for historic preservation monitoring) to construct a rail trail, be approved. Susan Weinstein seconded the motion. The draft article, as amended, was approved (8-0-0).
- **Oxbow Meadows Grass Playing Field:** The ConComm has requested \$20,000 to design a new grass athletic field at Oxbow Meadows (former Nike Site). Following discussion, Maureen Cavanaugh motioned for the draft ATM article, as amended, to allocate \$20,000 for the athletic field design, be approved. John Sullivan seconded the motion. The draft article, as amended, was approved (8-0-0).
- **Dudley Woods Trail:** The ConComm requested \$129,760 to design and construct trails and signage at Dudley Woods. The estimate was reduced to \$110,000. Following discussion, John Sullivan motioned for the draft ATM article, as amended, to allocate \$85,000 (\$75,000 + \$10,000 for archaeological monitoring or survey) to construct a trail and signage at Dudley Woods, be approved. Susan Weinstein seconded the motion. The draft article, as amended, was approved (8-0-0).

#### Other projects

- **74 Plain Road Acquisition:** The ConComm reports that they have not reached an agreement with the landowner, so this will not be considered at 2015 ATM.
- **Methodist Church Clock:** The town-owned clock in the Methodist Church is in need of repair. Gretchen referred the church representative to the Wayland Historical Commission. If the cost to get a repair estimate is less than \$5,000, it may be able to be covered by CPA administrative funds. Otherwise the project would have to be considered at a later Town Meeting.

**Other Business:** None

**Next Meeting:** February 11, 2015 and Public Hearing on CPA Warrant Articles on March 4, 2015.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

Town of Wayland

Economic Development Committee

Meeting Minutes: Thurs. Jan 8, 2015

Present: Nancy Boyle, Becky Stanizzi, Jean Milburn, Sean Fair, Seth Roman, Jim Grumbach, Cherry Karlson - BoS Liaison. Absent: Sam Potter

The meeting was called to order at 8:37 a.m. in the Planning Office of the Town Building.

There was no public comment.

The group reviewed the minutes of Dec. 11, 2014. Jean made a motion to approve as amended. Jim made the second motion. The vote to approve passed 6 – 0.

Nancy asked that the next topic on the agenda, "EDC Efforts for 2014/2015", include discussion of activities related to enhancing Art in the community. Discussion ensued about galleries, gallery shows within stores, outdoor art shows on the Town Green, all activities that would increase traffic to and interest in the Town Center area in particular

Seth and Sean are going to attend the Wayland Business Association Luncheon, to make the acquaintance of local business owners and here their concerns.

Sean, who is point-person for the senior discount card concept, has spoken with the Austin Chamber of Commerce. Also, he's found that the WCPA has a discount card program in place for their members.

Jim Grumbach has heard of no progress in the status of the Finnerty's property.

Jean and Seth had each dropped by the Danforth Farms construction project in north Framingham. Cochituate Village businesses should be encouraged to reach out to Danforth to be included in resident welcome packages (Seth/Sean to mention at WBA).

The new owner of the hardware store has been invited to attend our next meeting. It was suggested that he might enjoy seeing Green's Hardware in Wellesley on Route 16, a local, attractive family hardware store.

Becky Stanizzi reported good progress by the REAC committee, which now has a draft RFP document. It is hoped that the RFP will be ready for distribution in early March.

Seth is planning to meet with the proponents of the boathouse in early February.

Becky made a motion to adjourn. Jim Grumbach seconded. Unanimous vote Yes.

Submitted by Jean Milburn

**Meeting Minutes (approved 3/25/15, 3-0)**  
**Wayland Energy Initiatives Advisory Committee**  
**Tuesday, March 3, 2015**  
**7:30 p.m.**  
**Large Hearing Room**

**Members present:** Tom Sciacca, Anne Harris, Ellen Tohn, Harvey Michaels, Bill Huss (arrived 9:00)

**Members Absent:** none

**Associate members present:** Corinne Lenk, John Harper, Mike Staiti

**Ex-officio Member present:** Ben Keefe

**Also Present:** Cherry Karlson, Board of Selectmen liaison; Dave Watkins, FinCom liaison

Minutes from 2/12/15 approved 3-0.

**Municipal Solar Projects**

Updates provided before discussing Peregrine Energy Group Report:

- Ameresco has not progressed past 30% design review; on hold until approval process and TM vote is in.
- Encourage Ameresco to start ConCom approval process; MS will call Mike Zimmer
- FinCom voted 5-0 Thursday to defer taking a position. DW notes they will vote right before TM, though that would not be in the warrant. The Energy Committee requests if FinCom could vote sooner? JH requests DW send him a list of the questions FinCom would like answered and we will return them to FinCom before Monday in hopes of FinCom being able to vote Monday. ET will also forward updated Ameresco pricing.
- March 9<sup>th</sup> School Committee will review and vote.
- Solar is tentatively on the BoS agenda for March 16.
- Assessors meeting Monday March 9.
- PMBC will review technical report from Ameresco March 3<sup>rd</sup> re: DPW roof and connection issues. They MAY address with a vote tonight.
- PPA: JH and MS looked at draft from Ameresco, sent to Nan and Ben; have not heard back yet. Peregrine and sub Don McCauley has allotted twenty hours for PPA review.

DW relays FinCom concerns about any unexpected costs. What if Town Building is leased and lessor does not want canopies? Would we be required to remove them? Answer: Town could include canopies/electricity produced or parking lot as part of the leasing arrangement or not. We would be under no obligation to remove them. Town could still have electricity generated assigned to a town building. Also from FinCom: what if DPW roof needs repairs? BK: New roof is unlikely to need repairs during 20 year panel life but if necessary they are easily removed and replaced. Ameresco would do; labor charges would not be significant. DW agreed to provide written list of questions, so that the Energy Committee could prepare written responses prior to next FinCom meeting.

**Discussion of Peregrine Report**

Committee agreed report helpful, clear, informative. Peregrine report concludes:

- the projects' technical details are sound,

- arrays should produce predicted power,
- Ameresco's project cost is reasonable,
- price to be charged for power Wayland is consistent with those costs and
- projected savings to Wayland should significantly exceed costs for power.

Peregrine concludes that Ameresco's predicted savings may be overestimated as right now prices are in a spike due to natural gas supply shortage to New England. They recommend using last winter's prices as the baseline. Energy Committee discussed the recommendation, which is consistent with one of our core sensitivity analyses. There was general support to use the 2014 rates as the base case, consistent with the Peregrine recommendation.

Energy Committee discussed added sensitivity analyses performed by Energy Committee and reviewed by Peregrine, varying the tariff rates and using both B5 and A9 rates.

ET will forward revised version of sensitivity analysis and Peregrine Report to DW with comments; he can forward to FinCom.

Motion is made: For Energy Initiatives Advisory Committee to accept Peregrine's report summarizing financial and technical review, with minor edits. 4-0 in favor.

Motion is made: The Energy Initiatives Advisory Committee recommends the Town of Wayland approve four sites for solar PV as detailed in Ameresco's pricing proposal dated March 3, 2015 with a revised savings estimate as recommended by Peregrine Energy Group, Owner's Agent, in their report. 4-0 in favor.

#### **Planning for Public Forum, 3/18**

Discussed details of planning for forum, advertising, etc. After forum we can see what we might want for TM.

#### **Miscellaneous**

Next meeting March 11.

Meeting adjourned at 9 pm.

ARH 3/23/15

Minutes, Wayland Energy Initiatives Advisory Committee  
03/11/2015; 7:30 pm (approved 3/25/15, 3-0)

Attendees:

| Name           | Association                   | Name         | Association                   |
|----------------|-------------------------------|--------------|-------------------------------|
| Ellen Tohn     | Energy Comm, Member           | Tom Sciacca  | Energy Comm, Member           |
| Anne Harris    | Energy Comm, Member           | Mike Staiti  | Energy Comm, Associate Member |
| John Harper    | Energy Comm, Associate Member | Corinne Lenk | Energy Comm, Associate Member |
| Cherry Karlson | BoS                           | Bill Huss    | Energy Comm, Member           |

Minutes:

Planned updates to Energy Comm website are slow in execution due to the Town administration staff commitments related to Town Meeting and warrant preparation. Suggestion to reach out to other staff who can help us post key documents

Discussion on which solar project partners to invite to the March 18 Public Forum

- Solaire is available but Committee feels that their participation will not be overly beneficial to the forum; they provided input and responses to key questions
- Ameresco will attend

Discussion on slides for solar forum. Use basic content from Project Summary and previous presentations. Add information to address:

- Similar solar projects in other MA towns
- Ameresco's Solar experience
  - Ameresco has worked with #XX communities
  - List of projects
  - Work in pictures where possible
  - Ameresco's track record
- Other local solar projects (not necessarily Ameresco related)
  - Total # of other community solar projects, list towns that are nearby or similar to Wayland
  - Work in pictures where possible
- Milestone dates showing Town Meeting, PPA negotiation, site construction start dates and completion dates → stress that Wayland will be enjoying economic benefit from this project this fall or once project is on line
- Robustness of Solaire's canopy designs and how they account for snow loads
- Educational benefits to town to showing Ameresco's dashboard viewcharts (add this in FAQ doc too)
- List of considered and rejected sites such as the landfills

Discussion on hard copy materials for forum

- Renderings of the 4 sites showing 3D view of canopies

8:00 pm phone call with Ameresco and Solaire

- Request hard copies of the renderings also called 3D views
- Request participation of Mike Zimmer at the forum
- Discussion on Solaire's experience with canopies in winter climates
  - Solaire recommends reach out to communities who have lived with their canopies for some time and can share their experiences
  - Rutgers University has a very large installation which 100s of students park under every day and no issues have been reported
- Discussion on pros/cons of water management systems
  - Danversport canopy does not have a water management system; it is a single tilt canopy over a remote parking lot at a yacht club

- In Fortune 500 companies and other high profile installations, water management is installed partially as a perception aide not as a functional benefit because users perceive the installation to be “better”; functional benefit is debatable
- Overwhelming majority of solar installations in the world do not have water management. The proposed Ameresco/Solaire design for Wayland with no water management system would feel to someone standing under it just like standing under a tree (this analogy was provide by Solaire), roughly 6-8 ft panel that protects you but water has access at the edges
- Mini icicles could possibly form in the tiny gap 3/8” between panels but larger in diameter icicles cannot form, mini icicles only
- Committee asked for Solaire comments on news reports of a collapse of 2 canopies in NJ (these projects were not undertaken by Solaire or Ameresco): Solaire response: 1. Careless engineering, canopies toppled over from weight of snow because an engineer took short cuts with anchor bolts which were not robust enough; 2. Other canopy imploded due to failure at purlins which were undersized for the installation → Solaire's policy is to meet the structural performance requirements even if the solution is not the lowest cost in the field, value the quality of their installations and the company's reputation

The committee discussed the need to know the financial impacts if Town Meeting or Solar Forum attendees wanted to know about alternatives to the 4 sites (e.g., 3 sites without Town Building; DPW roof only)

- Mike Zimmer / Ameresco will report back with a financial projection showing PPA and other costs for the project if all canopies were removed and only the DPW roof project was included. The committee already has the financial projections for 3 sites without the Town Building.

#### Discussion on Project Summary handout

- Include net metering graphic as a color hand out
- Change site lay-out images to rendering images with 3D views of the canopies
- Add sentence on how the financial benefits are available now but may not be available later due to instability in the future NMC so this is an opportune time to execute
- Add detail on educational opportunities to the “benefit” section

#### Discussion on FAQs

- Consider two FAQ documents: one all inclusive, long document to post on the website while the FAQ handout contains only the most commonly asked questions with short, simple answers and removes items that are already included in the project summary document
- Committee works through each of FAQ and decides which to be included
- Further discussion on FAQ format such that online version includes the short answer followed by the longer, more detailed answer
- Remove “PPA” header and edit it into “Contracts, Construction, and Canopies”

Committee authorizes Ellen to edit the FAQ document into a top 12 FAQs for handout at the forum; Ellen will consult with Mike, John and Bill for accuracy and brevity

Committee authorizes Ellen and Corinne to finalize the Project Summary

Committee on agenda of PMBC for 01April

Committee on BoS agenda for 3/16

- Need to supply updated project summary by Thursday night 3/12
- John Harper's chart with fiscal summary showing numbers rounded to nearest 100
- Peregrine report
- Graphic on money flow between Ameresco, Town of Wayland, and Eversource/utility

ESCO savings being tracked by Ben Keefe by building through Mass Energy Insight and he can speak to this during Town Meeting; Committee to work with Ben to ensure all relevant points are fresh

Town Meeting Monday, April 6

Moderator's Forum March 25, 7pm.-8pm. ESCO article first, Solar later.

Next Energy Comm meeting for 8 pm on 25<sup>th</sup> March after Moderator's Forum. AH will post.

**Minutes (approved 3/25/15, 3-0)**  
**Public Forum on Municipal Solar Projects**  
**Wayland Energy Initiatives Advisory Committee**  
**Wednesday, March 18, 2015**  
**8 p.m.**  
**Large Hearing Room**

**Members present:** Tom Sciacca, Anne Harris, Ellen Tohn, Harvey Michaels

**Members absent:** Bill Huss

**Associate members present:** Corinne Lenk, John Harper, Mike Staiti

**Ex-Officio member:** Ben Keefe

**Also present:** From Ameresco: Mike Zimmer, Project Manager; Luis Alegria, Sr. Project Engineer

The Energy Initiatives Advisory Committee sponsored a forum to explain the proposed municipal solar projects that will be considered in the April Town Meeting Warrant, article 14.

Ellen Tohn went through a Power Point presentation on the projects. This slide show will be available on the Energy Committee website, as well as the Town Meeting web site.

Additional points made:

- Energy Committee met with HS and MS principals, who both supported school projects.
- CL described the Clean Energy Resiliency grant at the Middle School; rather than batteries to store solar power, there will be a system to manage the power to utilize solar while the sun shines, or the generator if not.
- There will be a School Curriculum piece which will include dashboards in locations around town to monitor production.
- This project needs Town Meeting approval for three things:
  1. To allow the Town to enter into a long term contract, the 20 year Power Purchase Agreement
  2. To allow Ameresco to lease the land and rooftop to install the PV projects and
  3. To give the Town the ability to enter into a structured tax agreement with Ameresco
- Nan Balmer and Ben Keefe are working out the PPA details with Ameresco now; our Owner's Agent, Peregrine Energy Group will conduct a legal review of the PPA. School projects could start over the summer. Fall 2015 operation starts.

Questions from attendees:

Q. What is the fixed price we will pay? A. Later slide indicates that.

Q. When do we pay Ameresco for the power? A. Monthly, net 30 days. We will then be credited on the bills of our choice. May be a month or two lag at first.

Q. What about snow on panels? A. Weather is accounted for in power projections. The flat "V" shape of canopies will allow snow to fall to center and slowly melt, drain through small center gap. Gaps between panels likened to standing under a tree in rain.

Q. Is the utility required to buy our power? A. Yes, they will.

Q. What is the maintenance budget for the panels/projects? A. 0\$, as they will be owned and maintained by Ameresco, not Wayland. Our interests are aligned, however, as Ameresco has an

incentive to insure the panels are producing maximum power so we will buy it, and Wayland wants the same, so we can sell more to the utility.

Q. What if someone runs into a canopy? Will Wayland have to pay to fix it? A. From Mike Zimmer, Ameresco: No, the Town will not pay anything to fix it. Ameresco will fix the canopy if need be and decide if they will file a claim against whoever hit it.

Q. What if a Wayland truck hits the canopy? A. What if a Wayland truck hits a Wayland building? Or a streetlight? Same situation.

Q. What about leaking roofs? A. The only project on a roof is the DPW. That has a new standing metal seam roof, and the panels' racking system will be clamped to the seams with no penetrations except the one to bring the power to the inverter in the building. The Permanent Municipal Building Committee has been looking at that connection and Ameresco has provided the information. There is also a pitch to the DPW roof, which guards against any leakage (as opposed to flat roofs).

Q. How does Ameresco make money? A. Mike Zimmer: First, from the Federal Investment Tax Credit of 30% for solar projects. Ameresco has a large tax burden, which this helps to reduce. As a municipality, Wayland could not take advantage of that. Second, they generate and sell SRECs (Solar Renewable Energy Credits), which are generated for each MW of power produced, for the first 10 years of the project. Currently selling at 28.5 cents/kWh. Third, from the PPA rate agreed upon.

Q. Is there any risk in Ameresco's model going away? A. SREC prices are variable; they could fall or rise; Ameresco accepts that risk and includes it in the model. Depreciation will not go away, and the Investment Tax Credit is taken at the beginning of the project.

Q. What about insurance? A. Ameresco is fully insured through the construction phase and beyond, for damage, etc.

Q. Is lighting on parking canopies solar as well? A. No, lighting is not solar, but it is LED, which is very high efficiency.

Q. Re: seasonality of generation, A. TS notes that some might say solar is a benefit to those who have it, but not those who don't. He counters that the wholesale value of electricity is highly variable, and in fact typically peaks on the hottest afternoons of the summer, which is when solar is most productive. This brings peak loads and costs down for everyone. Also, peak days often bring diesel generators online, which are smog and greenhouse gas effect producers; solar will help prevent that too.

Q. Will this project benefit homeowners? A. It will not affect residential electric costs, but will be a benefit to taxpayers.

Q. Does the Energy Committee recommend a solar installer for residences? A. The Town partnered with Astrum Solar two years ago for the Mass Clean Energy Center Solarize program and installed 70 plus systems in Wayland. There are many additional installers who could be contacted for an estimate.





# Town of Wayland Massachusetts

## Finance Committee

Thomas Abdella Nancy Funkhouser (Vice Chair) Thomas Greenaway (Chair)  
Carol Martin Bill Steinberg David Watkins Gil Wolin

## Finance Committee Meeting Minutes, January 13, 2015

Attendance: T. Abdella (8:40 PM), T. Greenaway, N. Funkhouser (7:07 PM) C. Martin, B. Steinberg, D. Watkins and Finance Director Brian Keveny. Absent: G. Wolin

### I. Call to Order

The meeting was called to order at 7:00 PM in the Senior Center of the Wayland Town building. The meeting was video taped.

### II. Public Comment

Resident Margo Melnicove discussed rising tax bills for lower priced homes because they are rising in value and falling tax bills for higher priced homes, which generally fell in value since the last valuation. In order to reduce taxes, she recommended several measures for the FinCom to take (a text of Ms Melnicove's comments with those suggestions was emailed to FinCom and is attached).

George Harris, Holiday Road, noted errors on a memo provided by the FinCom Chair regarding open meeting law complaints filed by Mr. Harris. A copy of his document is attached.

Several FinCom members discussed some of the recommendations made by Ms. Melnicove.

### III. Audit Committee Update

Audit Committee Member Gordon Cliff gave an update with regard to the work of that committee: a) the 2014 audit; b) the request for proposal for audit services for the coming year; and c) their agenda for 2015.

The auditors, Melanson & Heath, reported that the Town's annual financial statements were clean. Recommendations in the management letter are set forth on the handout from Mr. Cliff. For the coming fiscal year, the committee recommended that the Town should work once again with Melanson & Heath. As part of that process the committee also recommended that the Town produce a "CAFR" report (Comprehensive Annual Financial Review). The cost of this more complete report will be approximately \$6,000 more than the standard audit that the Town has requested in past years. The plan for the coming year is to follow through on the recommendations contained in the management letter.

There was a brief discussion of the future role of the audit committee and whether it should expand to include recommending auditors for the Town's revolving funds. Comments from the FinCom

Members included making certain that the audit committee sticks to its primary roles and remains apolitical and that it makes certain that the Board of Selectmen is addressing recommendations of the Audit Committee.

#### **IV. The Operating Budget**

The Committee met with Julia Junghans and representatives of the Health Department and with Ben Keefe, the Public Buildings Director.

Key issues for the Board of Health included: salaries, which are still in negotiation with their bargaining unit; the increased nursing cost due to the increased need for Loker elementary school; additional funds required for the substitute nursing salary; and costs associated with the mosquito control policy and how mandates from the Commonwealth create increased costs. There was a discussion of the potential need for \$15,000 to cover emergency situations, and the suggestion from FinCom was that this request be for something less than \$5,000, with the ability to ask FinCom for current year transfers when emergencies occur. The Finance Director indicated that in case of emergencies, a department can use monies from the General Fund to cover costs associated with such situations.

The Facilities Director provided a handout to Members showing changes from the budget presented in the draft operating budget. There was a discussion of utility costs, primarily electric costs. He indicated that electric costs are subject to a two-year contract that the Town has negotiated. Members questioned whether the new and larger DPW building was taken into account in the calculation of electric costs for FY '16. It was noted that the office space within the new building will not be significantly larger than in the old facility and that the new facility should be significantly more energy efficient. There is a \$14,000 increase in the building repairs budget to account for changes to the Health Department to account for security needs. One suggestion from the Director was that they analyze whether adding staff for building repairs might be more cost effective than contracting for such services.

The Chair requested a motion that the FinCom provide the following Articles for the Warrant for Annual Town Meeting: a) a budget article; b) a current year transfer article; and c) a fiscal year 2015 appropriations article. Mr. Greenaway's motion was seconded by Ms. Funkhouser and passed by a vote of 6 – 0.

Mr. Keveny discussed the Town Administrator Budget. The major change from the prior year is that salaries have decreased by \$30,000.

There was a brief discussion of the handout from the Personnel Board. John Senchyshyn will meet with FinCom on January 26<sup>th</sup> to discuss the vote of the Personnel Board on a number of requests for staffing when he meets with FinCom on that date to discuss the Unclassified Budget.

Other departments noted on the agenda will be meeting with FinCom on either January 20<sup>th</sup> or the 26<sup>th</sup>. The School Department will meet with FinCom on January 20<sup>th</sup>.

#### **V. Report of the Finance Director**

Mr. Keveny provided a handout with the results of revenues and expenses for the Town and the various revolving funds through the 2nd quarter of 2015. An important number noted by him is that the potential turn back from health insurance may be down to approximately \$283K compared

to \$571K in the prior fiscal year. For the budget, we anticipate receiving a final bill from West Suburban in late February, which should provide FinCom with that cost prior to finalization of the budget for the Warrant.

There was a discussion of the Town's revolving funds. There is a concern with the Recreation Department and the concern that their revenues and expenses may not be consistent with the levels allowed for a revolving fund by the Commonwealth. It was noted that the Board of Selectmen are working with the Recreation Department to try to resolve their issues.

Two additional handouts from Mr. Keveny included an update for the FY 2016 budget and a list of Articles that are anticipated to be included in the Warrant for Annual Town Meeting in April.

The analysis of outsourcing the Town's payroll continues and Mr. Keveny thinks that the Town may save up to \$10,000 per annum by doing this. They are also considering this for the School Department, as it is anticipated that similar savings might accrue to that budget (subject to personnel already employed by the School Department, which might offset savings that would otherwise accrue to the Department).

Mr. Keveny provided an update on the cash reconciliation update in the Treasurers Department. This has been reconciled through June 2014 and it is estimated that there are currently 6 months of work to be done for this reconciliation to be completed. The goal is to complete the work before the auditors are in to begin their work this April.

#### **VI. Members Reports and Concerns**

Mr. Watkins provided an updated worksheet regarding his work on the FinCom's analysis of updating its list of peer towns. The Committee agreed on the 12 towns on that worksheet that will make up the peer town list (North Andover was dropped, as the Committee agreed on 12 peer towns and 13 were listed, with North Andover as the 13<sup>th</sup>).

- Mr. Watkins also continue to analyze the Town's hardware and software to consider how long it remains functional; it's salvage value; and the ability to provide users or others with the option of purchasing the equipment at the end of their leases.

#### **VII. Chair's Update**

The Chair provided a handout with the status of open meeting law complaints filed by Mr. Harris (see above). He also discussed the request from Linda Segal for meeting minutes from November that were to be provided by Mr. Wolin, but which he has not yet provided to her.

Mr. Greenaway noted that he had lunch with former State Representative Tom Conroy and that Mr. Conroy recommended that someone in Wayland's Town Government work to develop a relationship with our new State Representative in order to lobby for increased state aid to the Town.

#### **VIII. Adjourn**

At 10:49 PM, the Committee voted unanimously to adjourn based upon a motion from Mr. Abdella and a second from Mr. Steinberg.

Respectfully submitted,

William Steinberg

Documents:

1. Text of document from resident Melnicove
2. Open meeting law complaint document from resident Harris
3. Handout from Mr. Cliff regarding the Audit Committee
4. Handout by the Finance Director (Mr. Keveny) showing revenues and expenses, including revolving funds, through the 2<sup>nd</sup> qtr of 2015
5. Handout from Mr. Keveny showing an update of the proposed budget for FY 2016
6. Handout from Mr. Keveny with a list of anticipated Articles for Annual Town Meeting in April 2015
7. Peer Town worksheet from Mr. Watkins
8. Handout from Mr. Greenaway with an update of open meeting law complaints that have been filed by Mr. Harris against the Finance Committee.

## Wayland Historical Commission Meeting Minute – February 23, 2015

Wayland Town Building, 7:30 pm

Minutes: approved as written

Attendees: Sheila Carel, Rick Conard, John Dyer, Tonya Largy, Elisa Scola, Gretchen Ryder Sharry  
Guests: Gretchen Schuler, Miriam Andrews, Barbara Donohue, Duane Galbi

Chairperson Elisa Scola called the meeting to order

### 1. Community Methodist Church Town Clock: (Miriam Andrews)

Miriam Andrews presented the history of the Cochituate Village Methodist Church Town Clock. The clock is in the bell tower of the Methodist Church, but is owned by the Town. In the past, up to 1985, monies had been appropriated by the Town of Wayland for repair and care of the clock. Town needs to maintain the clock. It has not been working for the past 35 years and is part of the Town's history and culture. Miriam had talked to Gretchen Schuler re: the clock and its history. Miriam would like WHC approval to ask for Community Preservation funds for the repair. The clock was installed in 1896 by the Howard Clock Company. Miriam called the Verdin Clock Company to get an estimate and report regarding repairs to the clock. Miriam shared the proposal by the Verdin Clock Company with the WHC. It is \$27,560 to fix and restore the clock and bell. WHC asked what is involved in on-going maintenance of the clock. Miriam shared a copy of the report with the WHC to read. Members will discuss and vote at next meeting. Gretchen Schuler mentioned that the CPA is not able to fund on-going maintenance. Question asked if the Church could fund the on-going maintenance after repair.

### 2. North Cemetery Update: (Barbara Donohue, Cultural Resource Consultant)

The research was finished today for the report. The rest of the project has been completed. The report includes conditions assessment (100 pages), GPS inventory, historic context, and recommendations. The report should be finished end of March to mid April. The maintenance report will be put together as a separate report. Discussion as to what happens after the report comes in. WHC will follow up. Tonya stated that Wayland needs a "Friends of the North Cemetery" group. She will work with the Historical Society on this idea.

Barbara was asked to be the speaker for Archaeology Month (October) about the cemetery. She said she would prefer to speak at the site, as opposed to in a room.

### 3. Minutes of the January 12, 2015 meeting were approved as amended

### 4. Stone's Bridge Update: (Gretchen Schuler)

There is a question regarding ownership of the Bridge from the CPC. If it is shared with Framingham, we need to get their approval. Gretchen Schuler sent an email to Alf Berry asking where the line is. Duane Galbi is thinking of going to a meeting in Framingham. The bridge is under DPW jurisdiction. It is presently treated/listed as a road. Suggestion to change it to a park designation. Elisa will contact Tom Siacca re: the name of Framingham contact person. Duane

thinks that Framingham may have given the bridge to Wayland. He needs to research further. He will continue to research potential sources of funding.

Elisa shared copy of a proposed article for the Town Crier re: Restoration of Stone's Bridge. Discussion and suggestions made to format of article.

5. Archaeology Update: (Tonya)

Tonya needs to submit an idea for Wayland's speaker for Archaeology Month to be in the booklet. Agreed Barbara Donohue re: North Cemetery would be good. Tonya is donating her time for a talk with artifacts about Wayland's Native American Past to the Wayland Elementary School's Backpack Auction as a way of community outreach to families.

6. Technology Update: none

7. Ceremonial Landscape Update: (Sheila)

Sheila sent a spreadsheet to Brendan Decker re: information for the sensitivity map. He will create a map with parcel numbers and give to Sheila. Question, should wetlands be included? Discussion as to parameters. Include homes built before 1850 abutting Town property.

8. Railroad Update: (Rick)

No new information. Rick hasn't heard anything re: DCR.

9. New business and other items not identified prior to submission of Agenda:

John Dyer spoke with Kevin Delaney (WHS History teacher) re: the soft side of history. He said that the WHS History project is available and the WHC can put a link to it. Question asked about the 375 Mass Memories project. Can also put a link to that.

Next Meeting: Monday, March 16, 2015 at 7:30 PM

Meeting adjourned: 9:30 PM

Respectfully submitted,

Gretchen Ryder Sharry

Wayland Historical Commission

# WAYLAND BOARD OF PUBLIC WORKS

Wayland Town Building

March 10, 2015

7:00 PM

## MEETING MINUTES

C. Brown (Chair), B. Goldsmith, M. Lowery, J. Mishara, M. Wegerbauer, S. Kadlik (Director)

Meeting opened at 7:00 PM

(Brown announced that the meeting is being broadcast live)

Brown opened the meeting with a review of the agenda.

Brown asked for public comment

### Public Comment

Duane Galbi of 190 Stonebridge Road appeared before the Board to discuss the status of a request for traffic calming on Stonebridge Road that was filed approximately two years ago.

Brown explained the Board's Traffic Calming policies and procedures.

Brown noted that a Board vote was never taken regarding Stonebridge Road Traffic Calming, and requested that this issue be placed on the next agenda.

### Public Comment

Jon Stahl of 25 Michael Road appeared before the board regarding the traffic calming request for Glen Road, and asked if one of the traffic calming measures under consideration is making the street one-way.

Brown explained that it would be under the purview of the Board of Selectmen to make the road one-way, and was unaware of any consideration to do that.

Stahl commented that if it was a one-way, it would be a significant inconvenience to some area residents.

Brown ceded the chair to Mishara.

### Traffic Calming Overview

Mishara explained the various roles of the Board of Public Works, Board of Selectmen, and the Police Department in traffic calming.

### **Traffic Calming Hearing: Glen Road**

Police Chief Irving noted that the State established a special speed regulation of 20mph on Glen Road.

Irving reviewed the 5-year accident data for Glen Road, and noted that most crashes occur at the intersection of Glen and Rt. 20; with 8 occurring at that intersection and 1 occurring elsewhere.

Irving reviewed the speed data from Glen Road, which indicated that 85% of traffic is travelling at 30mph or below.

Mishara asked Irving if he feels there is a speeding problem on Glen Road.

Irving replied that based on the speed count, there appears to be a speeding issue, and in his opinion the road could benefit from some form of traffic calming.

Brown asked when the State established the special speed regulation.

Irving noted that the application was filed with the State in April 2009.

Lowery asked what level of enforcement has been done.

Irving noted the type of enforcement done, and explained the limitations of speed enforcement on Glen Road

Lowery asked if the Town receives revenues from the State from traffic citations.

Irving noted that a portion of citations issued does return to the Town, but added that the Police Department is not a revenue generating department; the goal of enforcement is to change driving behavior not generate revenue.

### **Public Comment**

Kate Jenney of 10 Glen Road appeared before the Board to discuss her concern with the speed of cut-through traffic and the number of motorists who use Glen Road as a cut-through.

Jenney described past incidents she has witnessed on the road.

Mishara asked Jenney what she suggested be done to address the speeding issue on Glen Road.

Jenney noted that the speed limit change has had a slight impact, but she feels a speed bump would help greatly.

Mishara asked if she has addressed this with her neighbors.

Jenney noted that she has, and she feels that her neighbors are all in agreement.



Jenney noted that she feels the area of the Rail Trail would be a possible location for the speed bump.

Kadlik reminded the Board that the distances and sight lines along Glen Road would likely prevent speed bumps from being a valid traffic calming measure.

The Board discussed the possibility of installing an elevated crosswalk at the Rail Trail crossing.

### **Public Comment**

Jon Stahl of 25 Michael Road noted that he agrees with Jenney's assessment.

Brown discussed the funding mechanisms used for traffic calming, and noted that a vote in favor by the Board of Public Works would still require approval at Town Meeting for funding.

Mishara asked if additional signage could be posted as an intermediate measure.

Irving noted the signage that is in place and discussed possible signs that could be added.

Goldsmith asked if a 3-way stop sign at the intersection of Glen and Michael is a viable option.

Irving advised against the placement of a 3-way stop.

Brown made a motion to ask the Irving and Kadlik to look into additional signage on Glen and Michael, and that the installation of a raised surface at the Rail Trail crossing be investigated when the Rail Trail is constructed.

Mishara 2<sup>nd</sup>, all in favor.

### **Traffic Calming Hearing: Pelham Island Road**

Irving reviewed the accident data from Pelham Island Road, and noted that the majority occur on Pelham Island Extension; with 11 occurring on the extension and 4 on the rest of Pelham Island.

Irving reviewed the speed data from Pelham Island, noting that 85% traffic is travelling at 30mph or below.

Irving noted that there is no speed regulation on Pelham Island Road, which sets the speed limit at 40mph, while Sudbury has a special speed limit of 30mph on their section of Pelham Island Road.

Irving noted that it is his intention to collect speed data and petition the state for a special speed limit soon.

## **Public Comment**

Gary Slep of 40 Jeffrey Road expressed his concern of how narrow the road is, and requested that shrubbery in the town's right-of-way be cleared to increase visibility. Slep expressed his concern for several sight lines at intersections on Pelham Island Road due to snow accumulation.

Lowery asked Kadlik if shrubbery could be trimmed back on Pelham Island Road.

Kadlik noted that the DPW cuts back as much of the brush as possible, and that Scenic Road Bylaws preclude extensive trimming.

Park and Highway Superintendent Mike Lindeman suggested that a letter be sent to residents notifying them of our intent to prune the road.

Kadlik noted that potholes on Pelham Island are currently in the process of being filled, and that completely repaving Pelham Island would be a major expense.

Brown added that the condition of Pelham Island Road is a major issue and should be addressed at a future meeting.

Brown made a motion to recommend that the DPW look at clearing as much brush as possible, first sending out a letter to advise residents of the intended pruning.

Lowery proposed to add to the motion that the Board will examine at a future meeting the reconstruction of a portion of Pelham Island Road.

Mishara 2<sup>nd</sup>, all in favor.

Slep asked if it is possible to paint the word SLOW on the asphalt.

Kadlik cautioned that he would consult with the Planning Board prior to considering any painting.

Mishara ceded the chair to Brown

## **Discussion & Update on River's Edge Property**

Rebecca Stanizzi of the River's Edge Advisory Committee (REAC) appeared before the Board to discuss possible locations at the new DPW Facility for material storage.

Lindeman discussed the nature of the material being stored, and the size of the bins needed for the material.

Kadlik noted that the DPW has been actively investigating potential sites, but have not yet found an available adequate location.

Kadlik asked if a water feasibility study has been done by the REAC.

Stanizzi noted that they have done a piping study, and at this time Sudbury is not comfortable with the project, and Tata & Howard will conduct a feasibility study on behalf of Wayland.

Brown noted that the REAC is scheduled to go before the Board of Selectmen in late March to address this issue.

Brown noted that even if funding is granted, land would still be needed to store material for immediate needs.

### **Discussion of the Seasonality of Water Pumping and Water Rate Setting**

Goldsmith discussed data on water production and consumption rates, and reviewed graphs he had prepared and distributed to the Board.

<See attached graphs>

### **Discussion of the Eggleston Report on the High School Artificial Turf Field**

Brown noted that this item will be delayed until the next meeting.

### **Board Members' Reports, Concerns, and Updates**

Kadlik discussed the status of fields in preparation for spring.

Lowery discussed the status of unsecured temporary signs being placed in the right-of-way, and requested that the discussion of the Board's policy on temporary signs in the Town's right-of-way be placed on the next BoPW Meeting.

Lowery expressed his concern about the potential for flooding in Spring, and discussed with the Board the Town's level of preparedness for potential flooding.

Lowery discussed the status of the Sherman's Bridge project. He expressed his concern with material that drips from the bridge in hot weather, and asked that the material be identified.

Wegerbauer noted that he has requested alternative spaces for youth sports practice be placed on the next agenda.

Wegerbauer asked if anything can be placed on top of the snow to aid in melting.

Kadlik and Lindeman noted that there are no realistic alternatives to waiting for the snow to melt naturally.

**Review and Approve Minutes of the 2/12/15 Meeting**

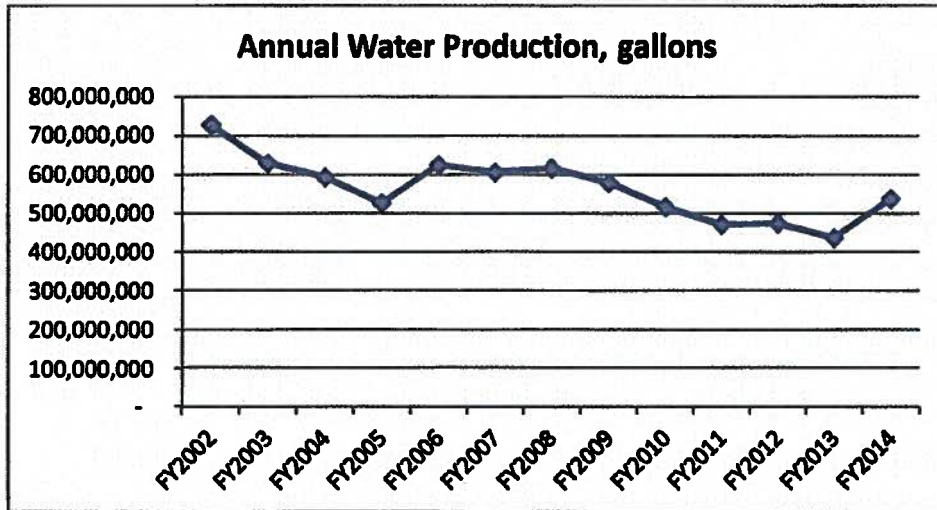
Wegerbauer asked that 'by age groups' be added to the discussion on the designation of alternate sports practice areas.

Lowery made a motion to accept the minutes as amended.  
Wegerbauer 2<sup>nd</sup>, all in favor.

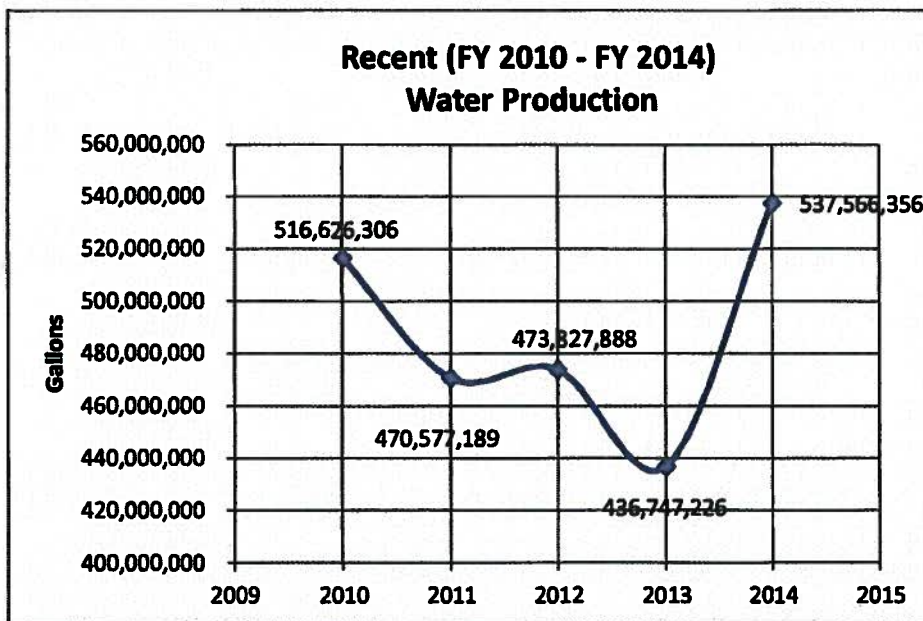
Brown made a motion to adjourn.

Lowery 2<sup>nd</sup>, all in favor.

Meeting adjourned at 9:34 PM.

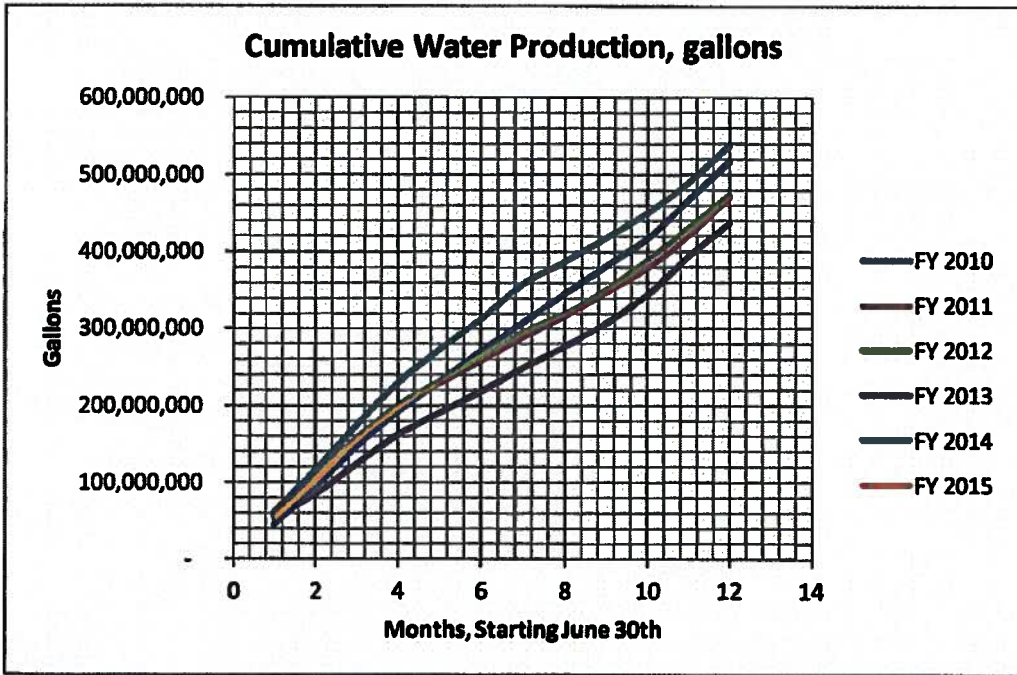
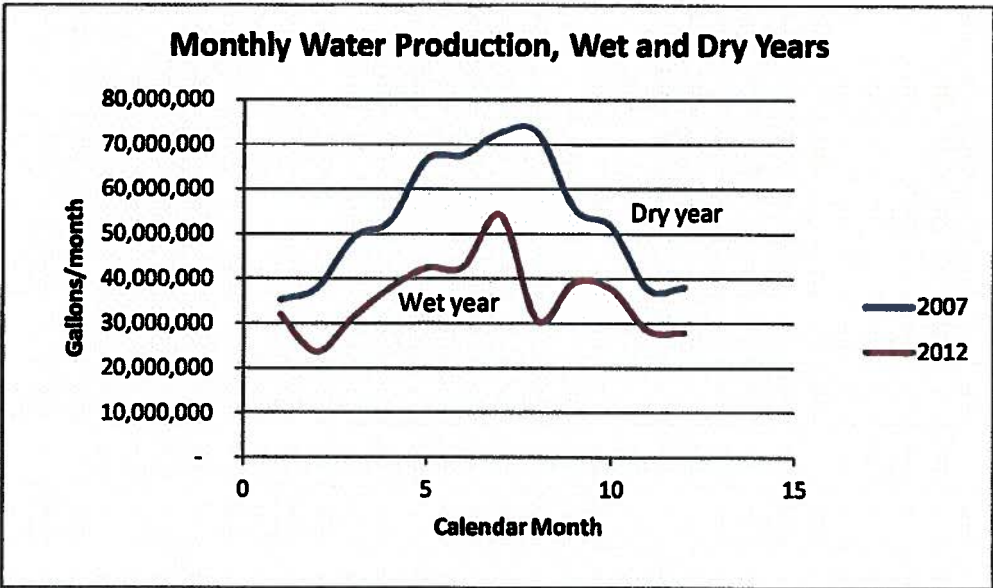


Is leak reduction the primary reason for falling production? Could there be some reduction in consumption?



Decrease from "average" production to a "wet summer" production is about 17%.

R. Goldsmith  
January 24, 2015

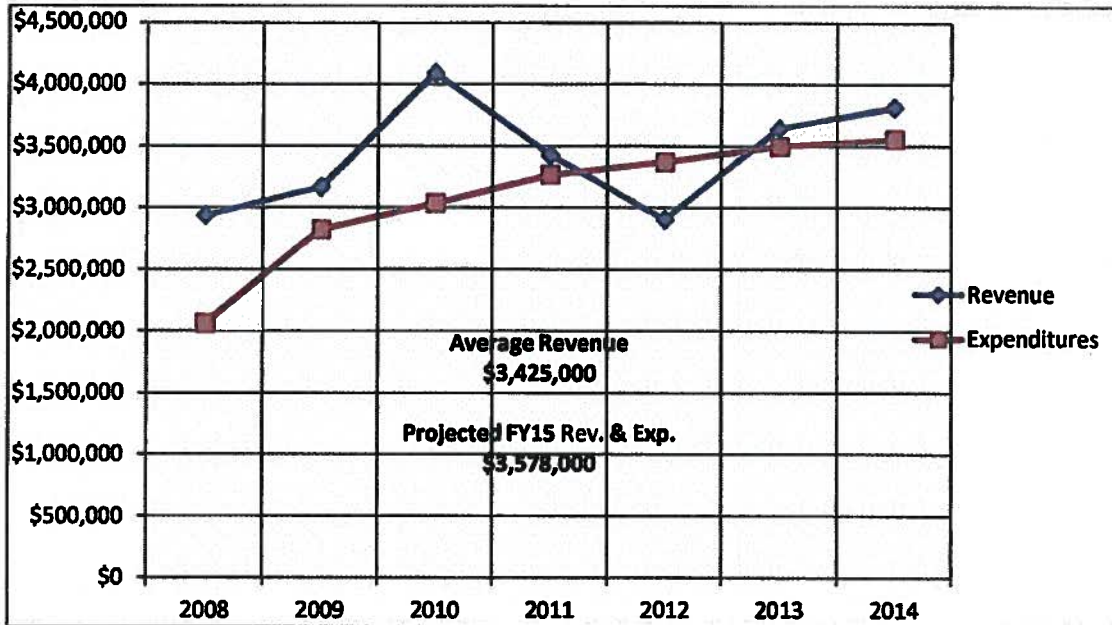


Bulge in monthly water production occurs during May – September. Variation from year to year occurs primarily from late spring to early fall. A shortfall in water production (and corresponding drop in revenue) can be predicted in late fall.

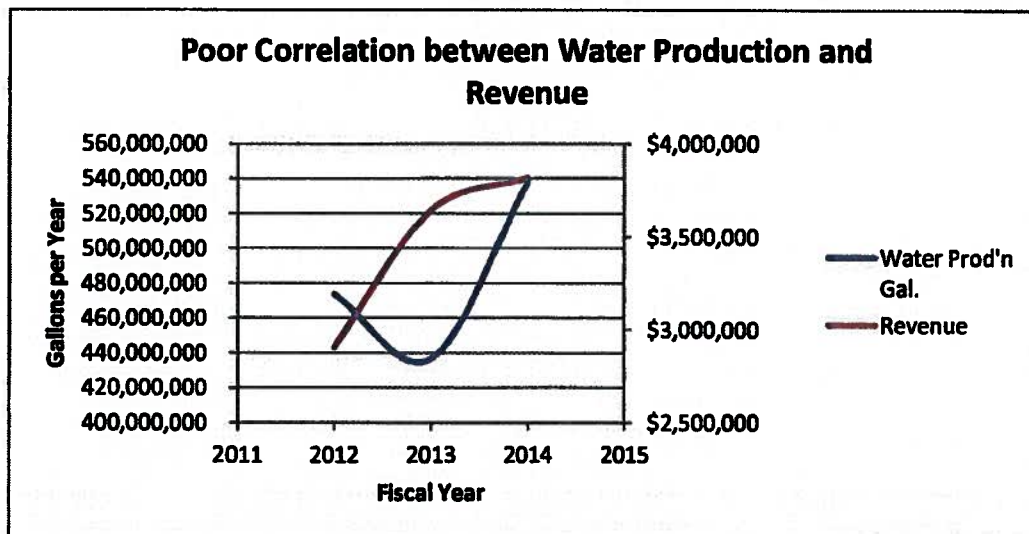
Decrease from “average” production to a “wet summer” production is about 17%.

R. Goldsmith  
January 24, 2015

### FY Revenue and Operating Expenses



Flat revenue and increasing expenditure history suggest "breakeven" in FY15 or FY16, with potential operating losses thereafter



Revenue does not correlate well with water production. "Revenue" is "receipts", and does not account for irregular meter readings and billings, and when customers pay bills.

R. Goldsmith  
 January 24, 2015

## Recent Historical Water Department Revenue and Expenditures

### What are the Costs and Revenue Sources?

| FY 2015 Projected Operating Expenses |                    |             |
|--------------------------------------|--------------------|-------------|
| Personal Services                    | \$714,000          | 20%         |
| Expenditures                         | \$1,283,000        | 36%         |
| Debt                                 | \$1,086,000        | 30%         |
| Fringe Transfers                     | \$495,000          | 14%         |
|                                      | <b>\$3,578,000</b> | <b>100%</b> |

| FY 2015 Projected Revenue |                    |             |
|---------------------------|--------------------|-------------|
| Penalties and Interest    | \$25,000           | 1%          |
| Water Meter Charges       | \$3,009,054        | 88%         |
| Water Admin Fee           | \$300,000          | 9%          |
| Water Service Order       | \$40,000           | 1%          |
| Misc. Revenue             | \$50,000           | 1%          |
| Interest on Savings       | \$8,000            | 0%          |
|                           | <b>\$3,432,054</b> | <b>100%</b> |

### Thoughts on Water Department Finances

1. Operating costs are substantially fixed.
2. 88% of revenue is meter charges, ( $0.88 \times \$3,578,000 = \$3,148,000$  are predicted meter charges.
3. Projected FY15 revenue is \$3,425,000 (number varies depending on which set of financials is used.)  
FY16 revenue could be \$130,000 below expenses.)
4. A wet year would reduce water production by ca. 17%, or about \$535,000. Unlikely for FY 2015.
5. Current non-obligated, undesignated fund balance is \$2,330,000 (per Brian Keveny). This is below target reserves. Conclusion: Undesignated fund balance should not be used to fund operating expenses or capital procurements.
6. Reported revenue (receipts) is an inaccurate measure of the balance between expenditures and revenues that would be based on actual water consumption.
7. A rate increase should be considered to cover likely future operating deficits and rebuild reserves.

R. Goldsmith  
January 24, 2015



Municipal Affording House Trust Fund (MAHTF)

Meeting Minutes—February 4, 2015

Wayland Town Building

ATTENDANCE: Mary Antes; Jacqueline Ducharme; Brian O’Herlihy; Armine Roat; and Susan Weinstein

ABSENT: Stephen Greenbaum; Kevin Murphy

PUBLIC COMMENT: None

NOTES:

Mary Antes called the meeting to order at 7:35 PM.

1. January minutes were reviewed. Susan Weinstein moved that the minutes be approved, with revisions. Brian O’Herlihy seconded the motion. The motion passed unanimously.
2. Treasury Report: Brian O’Herlihy discussed his efforts to set up a financial MAHTF account at the Village Bank. He spoke to Patricia MacNeil, an employee from Village Bank
  - Brian O’Herlihy discussed with Ms. MacNeil the size of the account to ensure the MAHTF financial account was secure. She informed Mr. O’Herlihy that there had never been any reported loss.
  - Brian indicated that Village Bank would want the board to pass a resolution, authorizing identified signatories for the MAHTF financial account. Brian O’Herlihy suggested that Trustees consider being signatories and handed out, to the Trustees of the MAHTF board, the New Account Information Form, which would need to be signed.
  - Brian O’Herlihy, when reviewing materials for the MAHTF financial account, felt there should be further discussion in determining if the MAHTF financial account should, in fact, be a separate financial entity, from the town of Wayland, which the Trustees initially endorsed, or if we should have the MAHTF financial account a separate financial account within Wayland’s treasury.

ACTION: Brian O’Herlihy will further investigate these issues for further consideration, and will discuss with Mark Lanza, Town Counsel and Paul Keating, Town Treasurer.
3. Update on the CPC warrant article for Wayland Town Meeting: Sue Weinstein reported that there will be a CPC meeting next Wednesday, February 11, 2015. The warrant article, if passed will designate CPA funds for community housing go to MAHFT. This warrant article seems to be moving forward. Ms. Weinstein will speak to the warrant article at Town Meeting. There was some discussion regarding some of the potential arguments against the warrant article may arise at Town Meeting. Brian O’Herlihy agreed to speak to these issues at Town Meeting.
4. The MAHTF Trustees discussed the January 20, 2015 Housing Meeting. Participants at that meeting included members from the Wayland Housing Partnership, members from the Wayland Housing Authority, members from the Wayland Municipal Affordable Housing Trust, members from the Planning Board, the Town Planner, Town Administrator, Executive Director of the Wayland Housing Authority and a member from the Economic Development Committee.

- Everyone thought it was very helpful to have all boards meet and develop a clearer understanding of the various boards and their roles as it relates to housing.
- The Trustees further discussed the idea of a public dialogue on housing. Brian O’Herlihy described the Nike project, which he depicted as an open and transparent process that worked out well. Trustees also thought that it would be helpful if the Board of Selectmen identified affordable housing as a priority.
- During this discussion on housing, Mary Antes reported that the Town of Falmouth conducted a study determining housing demand. It cost \$20,000-\$30,000. It looked at the type of housing needed in the town. Trustees wanted to look at the study and better understand the methodology used in this survey.

ACTION: Susan Weinstein will send the study to Trustees to review.

- Trustees present also discussed the work groups that were identified at the housing meeting, and agreed to participate in the following:
  - Jacqueline Ducharme agreed to participate in Work Group #1: Defining a shared vision and priorities for affordable housing that will help guide decisions
  - Mary Antes agreed to participate in Work Group #2: Monitoring and preserving existing affordable housing
  - Brian O’Herlihy agreed to participate in Work Group #3: Assessing whether there is a need for new zoning or overlay districts, as outlined in Master Plan, and defining which of the options presented in the Master Plan, or other alternatives, are the most desirable.
  - Susan Weinstein expressed interest in participating in an education and outreach initiative.

5. The Trustees reviewed revisions made to the draft by-laws. Trustees agreed that once the by-laws were finalized by the Trustees, Mark Lanza, Town Counsel, should review. Susan Weinstein noted that the by-laws should be reconciled with the Declaration of the Trust.

ACTION: Susan Weinstein will reconcile the by-laws with the Declaration of the Trust and send out another draft to the Trustees.

6. It was pointed out that the next MAHTF meeting, on March 4, 2015, coincides with the CPC’s public hearing on the warrant articles. It was decided that the MHATF meeting will include participation of the CPC meeting.

- There was a discussion regarding various agenda items for the next time, including possible projects to begin. It would be important for the Trustees to consider the processes that would need to occur for these projects.

7. Susan Weinstein moved that the meeting be adjourned at 9:15 PM. Jackie Ducharme seconded the motion, and it passed unanimously.

Respectfully Submitted

Jacqueline Ducharme



# Town of Wayland Massachusetts

Members: Christine DiBona  
Anthony Boschetto  
Jerome Heller  
Daniel Hill  
Robert Morrison

Rebecca Stanizzi  
William Steinberg  
William Sterling  
Michael Wegerbauer

## River's Edge Advisory Committee ("REAC") Meeting Minutes for Meeting of March 5, 2015

In attendance: Jerome Heller, Christine DiBona, Daniel Hill, Robert Morrison, Rebecca Stanizzi, William Steinberg and William Sterling.

Absent: Anthony Boschetto and Michael Wegerbauer

The meeting was called to order at 7:05 PM in the Board of Selectmen's conference room of the Wayland Town Building.

### I. Public Comment

There was no public comment.

### II. Meeting Minutes

R. Stanizzi moved to approve the minutes of the 2.19.15 meeting. W. Steinberg seconded the motion. The committee voted 7-0-0 to approve them.

### III. Discussion of the RFP

Members discussed a memorandum by Anderson Kreiger regarding the town's option to lease or sell the property at River's Edge. The letter was supposed to be reviewed by REAC prior to distribution to the BoS, but was sent directly to the Town Administrator. REAC may not agree with the premises of the A&K letter. Ms. Stanizzi observed that there were some citizens at last year's town meeting who voiced a preference for a ground lease as providing more income to the town in addition to the long term reserve value of the property if retained.

DPW may need to use some of the land adjacent to the landfill or some other site. DPW would like to regain use of the Rivers Edge land after it is declared surplus if the development does not go forward.

The \$10,000 deposit requirement is buried too deeply in the RFP on page 32. Consider mentioning it on the schedule on page 2.

Page 31 Evaluations- "Financial Strength" mixed with "Experience" as a combined criterion may appear to be unfair. This may be solved by inserting "and/or" at the "unacceptable rating."

Ms. Stanizzi made a motion to approve the RFP draft as amended tonight. Mr. Steinberg seconded the motion. The vote was 7-0-0 in favor of the motion.

Design Guidelines review-  
Section 12. Landscaping and Exterior Elements-

b. Revise clause as follows, "A minimum of 10-20% of the site must be reserved for open space." Ms. Stanizzi is to insert a standard definition for "open space" from the Mass Zoning By-Laws. It should also be added that the buffer zone that is required by Con Com may be included in the definition of "open space."

#### Section 16. Unit Types-

Section f. DHCD requirements include 10% of affordable units be 3 bedroom units. This does not apply to the market rate units.

Ms. Stanizzi made a motion to approve the Design Guidelines draft as amended tonight. Mr. Heller seconded the motion. The vote was 7-0-0 in favor of the motion.

#### IV. Other topics not reasonably anticipated by the Committee

Invoice from legal counsel through February 2015- approximately \$83,000. R. Stanizzi stated that although we are approaching the \$160,000 limit, most of the "heavy lifting" has been done. Nevertheless REAC needs to be careful to minimize expenditures from here forward.

Mr. Steinberg made a motion for Mr. Heller, Ms. Stanizzi and Mr. Hill to review the invoices in greater detail for authorization. If they are not satisfactory, they are to bring their concerns to REAC for further discussion and action. Otherwise they may be submitted for authorized payment. Ms. Stanizzi seconded. The vote was 7-0-0 in favor of the motion.

DEP meeting-The back portion of the REAC site is legally designated as part of the land fill overlay district, but it was never actually used as land fill. Therefore, to be used for housing, the town merely needs to change the site assignment. The town has three choices on how to expedite that: First, have the BOH hold a public hearing for revising the site assignment. This would require hiring a hearing officer and counsel and attract unwarranted attention. It can also be appealed. Second, the Town can apply to the DEP for a "minor modification" of the site assignment. This would be a formal process and a decision can be appealed. Third, the Town can apply to the DEP for "presumptive approval" where the Town explains the case that the site was never used for a landfill and requests the use for housing be approved. If there is no objection within 45 days, the use is deemed approved. It appears this "approval" cannot be appealed. Any of the above may delay the project for an indeterminate amount of time.

Mr. Hill moved that REAC have the BoS apply to the DEP with the intent of obtaining a presumptive approval of the proposed new use for housing to be added to the overlay district that is in place. Ms. Stanizzi seconded the motion. The vote was 7-0-0 in favor of the motion.

#### V. Future Meeting

It was determined that the next meeting of REAC will occur on March 16, 2015, at 7:00 PM with the BoS.

Mr. Heller handed out the agenda.



# Town of Wayland Massachusetts

Members: Christine DiBona  
Anthony Boschetto  
Jerome Heller  
Daniel Hill  
Robert Morrison

Rebecca Stanizzi  
William Steinberg  
William Sterling  
Michael Wegerbauer

## VI. Adjournment

At 9:15 PM, Mr. Heller made a motion to adjourn the meeting and Mr. Hill seconded. The vote in favor of the motion was 7-0-0.

## Handouts:

2014 River's Edge Advisory Committee Agenda, 3/5/15  
Anderson Kreiger memorandum to Nan Balmer, 2/18/15  
Request for Proposals (draft, 12/12/14 sent electronically)  
Design Guidelines –Working Daft dated 2/20/15 (to be included in RFP)



OFFICE OF THE GOVERNOR  
COMMONWEALTH OF MASSACHUSETTS  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

January 8, 2015

Mr. Joseph C. Nolan, Chairperson  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

Dear Mr. Nolan:

We are pleased to inform you that the Chapter 90 local transportation aid funding for Fiscal Year 2015 has increased from \$200 million to \$300 million statewide.

This letter certifies that the Town of Wayland's Chapter 90 apportionment for Fiscal Year 2015 has been increased from \$475,423 to \$713,134. This apportionment will automatically be incorporated into your existing 10-Year Chapter 90 contract, which will soon be available on the MassDOT website. <http://www.massdot.state.ma.us/chapter90>.

We look forward to working closely with your community to ensure the continuing success of the Chapter 90 program in the years to come.

Please feel free to contact Matthew Bamonte at (857) 368-9151 with any questions you may have regarding the Chapter 90 program.

Sincerely,

A handwritten signature in cursive script that reads "Charles D. Baker".

Governor



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, MassDOT Secretary & CEO

**massDOT**  
Massachusetts Department of Transportation

March 19, 2015

Mr. Joseph C. Nolan, Chairperson  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

RECEIVED

MAR 23 2015

Board of Selectmen  
Town of Wayland

Dear Mr. Nolan:

The record breaking snowfall and extreme weather this winter season has left many of the Commonwealth's roadways in poor condition. To assist municipalities in implementing much needed repairs, Governor Baker and Lt. Governor Polito are pleased to announce the Winter Recovery Assistance Program (WRAP). The Governor and Lt. Governor have approved a \$30 million statewide program designed to provide direct aid to all 351 cities and town across the Commonwealth. Although NOT a Chapter 90 program, these funds will be apportioned to the municipalities based on the Chapter 90 formula.

MassDOT is issuing a one-time contract allowing the **Town of Wayland** to be reimbursed for up to **\$71,313** of roadway repairs resulting from this year's harsh winter weather. Eligible projects include (a) patching of potholes, cracking and other surface defects, including paving projects, (b) repair and or replacement of signage, guardrail, storm grates, or road striping or painting, and (c) projects identified through written agreement between the MassDOT Highway Division District Office and the **Town of Wayland**.

The contract requires that all physical work be completed prior to June 30, 2015. Requests for reimbursement must be submitted to the Highway Division prior to July 31, 2015, in order to be reimbursed. Requests for reimbursement received after this date will not be processed by the Highway Division. The intent of this program is to assist cities and towns in addressing immediate and necessary repairs resulting from the winter weather. Considering the large volume of work and the short time period, it is understood that the general contractor may wish to subcontract a portion of the work.

Should you have any questions, please call Paul Jay at (857) 368-9150 or Maria Conti at (857) 368-9144.

Sincerely,

Stephanie Pollack  
Secretary and Chief Executive Officer

Ten Park Plaza, Suite 4160, Boston, MA 02116  
Tel: 857-368-4636, TTY: 857-368-0655  
[www.mass.gov/massdot](http://www.mass.gov/massdot)



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, MassDOT Secretary & CEO

**massDOT**  
Massachusetts Department of Transportation

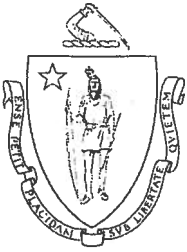
**Winter Recovery Assistance Program  
Rules and Regulations  
March 20, 2015**

- 1) The amount of the funds allocated for each city and town is based upon the parameters of the Chapter 90 program; Road Miles, Population, and Employment. Although the allocation of funding is consistent with the Chapter 90 program, the Winter Recovery Assistance Program and the associated Standard Contract Form are separate and distinct from the Chapter 90 program.
- 2) Eligible activities include (a) patching of potholes, cracking and other surface defects, including paving projects, (b) repair and or replacement of signage, guardrail, storm grates, or road striping or painting.
- 3) Enclosed is a MassDOT Standard Contract Form. The highlighted items must be completed, signed and returned to the respective Highway Division District Highway Director as soon as possible but no later than April 20, 2015.
- 4) The District Highway Director is authorized to sign and execute all documents related to this program unless the contract amount is in excess of \$250,000. In which case the Highway Administrator must sign the Standard Contract Form.
- 5) No work may be performed until the Standard Contract Form is fully executed by the municipality and the appropriate Highway Division District Highway Director or Administrator.
- 6) Monies for each specific city or town will be encumbered by MassDOT. This results in the monies being obligated on the Commonwealth's accounting system for the purpose of effecting the reimbursement of bills paid by the cities and towns for projects as delineated above.
- 7) The city or town is not required to notify the District Office of each specific project or activity prior to commencing work. However, it is essential that the work performed is consistent with the eligible activities described in item 2 above.
- 8) All physical work must be completed prior to June 30, 2015.
- 9) Copies of invoices from the city or town, along with evidence of payment to contractors, must be received by the respective Highway Division District State Aid Engineer contact by July 31, 2015. District Offices will then process the reimbursement paperwork through MassDOT Headquarters. These invoices must be clearly marked as Winter Recovery Assistance Program. Invoices received at the District Offices after July 31, 2015, will not be reimbursed.
- 10) If the total amount of invoices submitted to MassDOT for the Winter Recovery Assistance Program is less than the total funds originally allocated, the remainder of this funding will be de-obligated and as a result, no longer available to the municipality.

Ten Park Plaza, Suite 4160, Boston, MA 02116  
Tel: 857-368-4636, TTY: 857-368-0655  
[www.mass.gov/massdot](http://www.mass.gov/massdot)



- 11)** In the event that a City or Town's contractor claims to be unavailable due to other work, said contractor will be allowed to sub-contract work related to the Winter Recovery Assistance Program.
- 12)** Cities and Towns will be reimbursed by September 30, 2015, for their expenditures pertaining to the Winter Recovery Assistance Program up to the specified allocated amount as per the Secretary's letter of March 19, 2015.



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY  
ATTORNEY GENERAL

(617) 727-2200  
(617) 727-4765 TTY  
www.mass.gov/ago

March 24, 2015

George Harris, Esq.  
8 Holiday Road  
Wayland, MA 01778


Dear Attorney Harris:

We understand that on January 29, you filed a complaint with the Wayland Board of Selectmen (the Board), alleging a violation of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The public body is required to notify our office of the complaint and any remedial action taken to address the complaint. G.L. c. 30A, § 23(b); 940 CMR 29.05(5). Our office received notification and a response from the Town Administrator on February 19.

Under the Open Meeting Law, a complaint is ripe for review by our office when the complainant files a copy of the initial complaint with the Division of Open Government, provided that at least 30 days have passed since that complaint was filed with the public body. G.L. c. 30A, § 23(b); 940 CMR 29.05(6). Our office currently has no record of a complaint filed by you in this matter. Accordingly, we will presume that the action taken by the public body was sufficient and will close this file unless we receive a request for further review by this office and a copy of the initial complaint by **Monday, April 13**.

Please feel free to contact us if you have any questions about the Open Meeting Law complaint process.

Sincerely,

  
Mallory Morales  
Paralegal  
Division of Open Government

cc: Nan Balmer, Wayland Town Administrator

RECEIVED

MAR 26 2015

Board of Selectmen  
Town of Wayland

20

**Balmer, Nan**

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**Subject:** FW: Initial Chapter 90 - H3187 FY16 allocation and pothole fund

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**From:** Gentile, Carmine - Rep (HOU) [mailto:Carmine.Gentile@mahouse.gov]

**Sent:** Thursday, March 26, 2015 10:30 AM

**To:** Balmer, Nan

**Cc:** Blatchford, James (HOU)

**Subject:** Initial Chapter 90 - H3187 FY16 allocation and pothole fund

Re: Chapter 90 - H3187 initial FY16 allocation

Dear Nan,

One hundred million dollars was released earlier this year to cities and towns for Chapter 90 to complete FY15 (total \$300M for FY15).

Late yesterday the House voted a Chapter 90 – H3187 FY16 allocation of \$200M and also a separate \$30M pothole fund recently announced by Gov. Baker. The Senate will now need to have a similar vote before Governor Baker signs the legislation and bonds it. The hope and expectation is that all or a portion of these funds will be bonded and become available to cities and towns in April. However, that is by no means guaranteed.

Wayland will receive \$478,347 of the \$200M and \$71,752 of the \$30M.

I expect another \$100M+ for FY16 Chapter 90 will be voted later this spring in the budget process.

Please do not hesitate to call me or my legislative aide Jim Blatchford if you have any questions on this or other matters.

Best regards,

Carmine

Representative Carmine L. Gentile  
13th Middlesex District  
State House, Room 39  
Boston, MA 02133  
617.722.2014



FEMA

March 13, 2015

Joseph F. Nolan  
Chairperson, Board of Selectmen  
Town of Wayland  
Town Building  
41 Cochituate Road  
Wayland, MA 01778

RECEIVED

MAR 16 2015

Board of Selectmen  
Town of Wayland

Dear Mr. Nolan:

I am writing about the Federal Emergency Management Agency's (FEMA's) upcoming Risk Mapping, Assessment, and Planning (Risk MAP) Discovery Meeting for the Charles Watershed in eastern Massachusetts. This Discovery Meeting is being coordinated by the U.S. Geological Survey (USGS) in partnership with FEMA. The Charles Watershed is the 8-digit hydrologic unit code (HUC) 01090001 (see enclosed map). Rivers in the watershed that could be potentially discussed include major rivers such as the Charles, Ipswich, Mystic, Neponset, North, Parker, Saugus, Weir, Weymouth Fore, and Weymouth Back; as well as other smaller rivers and tributaries in the watershed.

Risk MAP is a new FEMA program that helps communities identify, assess, and reduce their flood risk. By combining quality engineering with updated flood hazard data, FEMA provides accurate and easy-to-use information to enhance local mitigation plans, improve community outreach, and increase local awareness to flood hazards.

The Discovery process commences at the beginning of a Risk MAP project and assists in identifying the scope of the watershed study. The Discovery Meeting is part of the Discovery process, and the information exchanged between FEMA and communities within the Charles Watershed during Discovery will improve our understanding of your watershed's flood hazard mapping and mitigation planning. Attached are a Community Information Sheet and Community Information Map which list and display data and comments that we have collected from you during previous mapping efforts. During Discovery, FEMA:

- Gathers information about local flood risk and flood hazards. Please see attached the list of data we hope to gather from you.
- Reviews mitigation plans to understand local mitigation capabilities, hazard risk assessments, and current or future mitigation activities.

#### Discovery Meeting Details

The Discovery Meetings are scheduled for the Charles Watershed on the following date:

- Monday April 13, 2015 at 1:00 PM: Walpole Public Library, 143 School Street, Walpole, MA 02081 (***Parking is available at the Library, next door at the Town Hall on Stone St., and across the street at a Blackburn Memorial Park***)

22

- Tuesday April 14, 2015 at 9:30 AM: Watertown Free Public Library, 123 Main Street, Watertown, MA 02472 (**Metered parking is available at the municipal lot at the back entrance to the Library – cost is 25 cents per 30 minutes**)
- Tuesday April 14, 2015 at 1:00 PM: Hamilton-Wenham Public Library, 14 Union Street, South Hamilton, MA 01982 (**Parking is available at the library and extra parking is available across the street at Pingree Park**)

Please note that all three Discovery Meetings are the same content, and you may attend any of the locations.

Please RSVP to Gardner Bent, the USGS Project Manager for the Charles Watershed Discovery Meeting, by e-mail ([gbent@usgs.gov](mailto:gbent@usgs.gov)) or by calling (508) 490-5041.

At the Discovery Meeting, we will review the flood risk data we have gathered to date by presenting a draft Discovery Map and Discovery Report. We will also discuss your community's flooding history, flood risk concerns and mitigation. Any data or information that you can provide before the meeting will aid in this discussion.

In addition to inviting community leaders, emergency managers, GIS specialists, and local planners to the Discovery Meeting, FEMA will invite other stakeholders with a vested interest in the Charles Watershed's resources, floodplains, and flood risk. This may include representatives from State, Federal, regional, and local agencies and associations. Together, we will discuss the study that will be conducted in the Charles Watershed, any information you have to provide, and the importance of mitigation planning and community outreach.

We encourage you and/or any other relevant floodplain management staff to attend this important meeting. The partnership and exchange of data between FEMA and your community will be vital to our success in identifying flood risks and needs that may exist. If there are any data related to your community's flood risk that you have not yet provided to us, but that you would like to have taken into consideration when reviewing your flood risk, please bring it to the meeting or send it to the following address:

Gardner Bent  
U.S. Geological Survey  
10 Bearfoot Road  
Northborough, MA 01532

Additionally, we have an online questionnaire regarding data related to the Discovery Meeting. Please complete the questionnaire at the following website: [http://newengland.water.usgs.gov/fema\\_charles/](http://newengland.water.usgs.gov/fema_charles/).

If you have any questions regarding the Discovery process, the scheduled Discovery Meeting or the data requested, please contact Gardner Bent, Project Manager, by e-mail ([gbent@usgs.gov](mailto:gbent@usgs.gov)) or by calling (508) 490-5041. Also available to answer any questions is Kerry Bogdan, Senior Engineer, FEMA Region I, at (617) 956-7576 or [Kerry.Bogdan@dhs.gov](mailto:Kerry.Bogdan@dhs.gov).

Sincerely,



Richard Verville, Chief  
Hazard Mitigation Assistance Branch  
FEMA Region I

**Attachment:** Community Information Sheet  
Community Information Map  
Data Request Sheet  
Discovery Meeting Agenda

**cc:** Nan Balmer, Town Administrator, Town of Wayland  
Jay Abelli, Building Commissioner and Zoning Enforcement Officer, Town of Wayland  
David Fuller, Building Inspector, Town of Wayland  
Brian J. Monahan, Conservation Administrator, Town of Wayland  
Stephen Kadlik, Department of Public Works Director, Town of Wayland  
Sarkis Sarkisian, Town Planner, Town of Wayland  
Brendan Decker, GIS Coordinator, Town of Wayland  
Kerry Bogdan, Senior Engineer, FEMA Region I  
Richard Zingarelli, State NFIP Coordinator, Massachusetts Department of Conservation and Recreation  
Gardner Bent, Project Manager, U.S. Geological Survey



|                       |                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Project Name:</b>  | <i>Charles Watershed</i>                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Meeting:</b>       | <i>Discovery Meetings - Charles Watershed</i>                                                                                                                                                                                                                                                                                                                                                   |
| <b>Date and Time:</b> | <ul style="list-style-type: none"> <li>• <i>Monday April 13, 2015 at 1:00 PM: Walpole Public Library, 143 School Street, Walpole, MA</i></li> <li>• <i>Tuesday April 14, 2015 at 9:30 AM: Watertown Free Public Library, 123 Main Street, Watertown, MA</i></li> <li>• <i>Tuesday April 14, 2015 at 1:00 PM: Hamilton-Wenham Public Library, 14 Union Street, South Hamilton, MA</i></li> </ul> |

**Discovery Meeting Agenda**

**Introductions (10 minutes)**

- Communities
- State and other Federal agencies
- Associations
- FEMA Project Team, including roles and responsibilities

**RiskMAP and the Discovery Process (15 minutes)**

- To provide an overview of Risk MAP and Risk MAP products/support
- To explain the role of Discovery
- To present known and best available data and discuss additional data that may be useful
- Discuss Discovery Meeting questionnaire responses

**Present Flood Risk Data (15 minutes)**

- Present evaluation of data using Discovery Map to illustrate study areas

**Mitigation Planning (10 minutes)**

- Gather feedback on mitigation planning status, needs and resources

**Communication (10 minutes)**

- Discuss the importance of regular communication, data sharing, and feedback between FEMA and the communities
- Discuss coordination with and related resources available from other Federal Agencies, State agencies, and associations
- Highlight the role of each community in keeping their communities informed of their flood risk, steps they can take to protect themselves and their property, and study progress
- Describe the communication tools available to help communities communicate about risk

**Wrap-Up (10 minutes)**

- Discuss next steps (project timeline)
- Present points-of contact for questions
- Review meeting outcomes and action items

**Optional Breakout Session: Discuss Risk and Solutions on a Community and Watershed Basis (30 minutes)**

- Discuss areas of concern individually
- Discuss local flood risk



## Data Request

|                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Most Current Data from your Community</i></b>                                                                            |
| Coordinated Needs Management Strategy (CNMS) information                                                                       |
| Community Assistance Visit (CAV)/Community Assistance Contact (CAC)                                                            |
| Community Rating System (CRS) status                                                                                           |
| Disaster High Water Marks (HWM)                                                                                                |
| Existing dams and/or levees                                                                                                    |
| Mid-term Levee Inventory (MLI)                                                                                                 |
| Individual Assistance (IA)/Public Assistance (PA) information                                                                  |
| Hazard Mitigation Assistance Program grants received                                                                           |
| Letters of Map Change (LOMCs)                                                                                                  |
| Flood claims and policies                                                                                                      |
| Available topographic data (better than 2ft)                                                                                   |
| Average Annualized Loss (AAL) data                                                                                             |
| Gage data                                                                                                                      |
| Structure information                                                                                                          |
| Information obtained from researching other Federal agencies, non-profit organizations, and other sources such as universities |
| <b><i>Through Consultation with your Community</i></b>                                                                         |
| New construction of culverts and bridges                                                                                       |
| New levees or levees not shown on map                                                                                          |
| Areas of recent development                                                                                                    |
| Development plans                                                                                                              |
| Ongoing or future topographic acquisition efforts                                                                              |
| Community plans to alleviate flooding                                                                                          |
| Political issues between communities that may affect watershed studies                                                         |
| Existing or potential Endangered Species Act issues                                                                            |
| Structure information                                                                                                          |
| Hazard mitigation plans                                                                                                        |
| Structural and flooding issues not represented on effective NFIP maps                                                          |
| Risk input data                                                                                                                |
| Information from dam Emergency Action Plans                                                                                    |
| Field data                                                                                                                     |
| Building footprints                                                                                                            |
| Local communication capabilities and needs                                                                                     |

Highlighted data is requested from your community.



Community Information Sheet  
Town of Wayland, Middlesex County, Massachusetts  
FEMA Community ID number 250224

Document date: March 5, 2015  
Document purpose: Discovery for Charles HUC8 Watershed

|                         |            |                           |           |
|-------------------------|------------|---------------------------|-----------|
| CRS* Level              | -          | Population                | 12,994    |
| CRS Status              | N/A        | Median age (yr)           | 46.7      |
| HMP <sup>†</sup> Status | Approved   | Elderly (age 65 or older) | 16.5%     |
| HMP Approval            | 03/16/2012 | Median income             | \$130,746 |
| HMP Expiration          | 03/15/2017 | Population in labor force | 49.3%     |

\*CRS – Community Rating System

<sup>†</sup>HMP – Hazard Mitigation Plan

All demographics as of 2010 census

National Flood Insurance Program (NFIP) statistics

|                        |            |                           |              |
|------------------------|------------|---------------------------|--------------|
| Effective FIS Date     | 07/07/2014 | NFIP policies             | 65           |
| Effective FIRM Date(s) | 07/07/2014 | Zone A policies           | 12           |
| Initial NFIP Date      | 06/01/1982 | Zone V policies           | 0            |
| Initial FIRM Date      | 06/01/1982 | Total coverage            | \$18,948,100 |
| LOMCs*                 | 13         | Total premiums            | \$65,648     |
| Most recent CAV**      | 09/05/1996 | Total claims <sup>†</sup> | 27           |
|                        |            | Total paid for claims     | \$101,634    |
|                        |            | Repetitive losses         | 15           |
|                        |            | Variances                 | 0            |

\*LOMC – Letter of Map Change

\*\*CAV – Community Assistance Visit

<sup>†</sup>As of September 30, 2014

# Community Information Map for WAYLAND, MA

## NFIP Claims

- \$0 (7)
- \$0.01 - \$1000 (3)
- \$1000.01 - \$5000 (21)
- \$5000.01 - \$10000 (3)
- \$10000+ (3)

— Roads

▭ HUC8 Watershed

## SFHA Zone

- A
- AE
- VE

## Water Bodies

- Estuary
- Ice Mass
- Lake/Pond
- Playa
- Reservoir
- Swamp/Marsh
- Streams

## Elevation

- High : 193.12 ft
- Low : -30.45 ft

