

**PACKET**

**JUNE 13**

**2016**



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, June 13, 2016**  
**Wayland Town Building**  
**Selectmen's Meeting 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.*

- 6:30 pm 1.) Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Health Insurance 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 to Discuss Civil Service with Respect to the Police Union;
- And Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Following Minutes Pertaining to the Above Subjects, and also Including Discussion of an Arbitration Filing with Respect to the Police Union; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2), a Discussion of Strategy with Respect to Negotiations with Non-Union Personnel, Police Chief Contract, because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town: June 6, 2016
- 7:00 pm 2.) Call to Order by Chair
- Announcements; Review Agenda for the Public
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) Swear In: Assistant Fire Chief Neil McPherson
- 7:20 pm 5.) Update from Fire Chief on Projects and Initiatives
- 7:35 pm 6.) Interviews for Appointments to Boards and Committees
- Patrick Rowe (Permanent Municipal Building Committee)
  - Doug Levine (Economic Development Committee)
- 8:00 pm 7.) Wastewater Management District Commission Update

**BOARD OF SELECTMEN  
Monday, June 13, 2016  
Wayland Town Building  
Selectmen's Meeting Room**

**Proposed Agenda Page Two**

- 8:25 pm 8.) Meet with Conservation Administrator:
1. MWRA Weston Aqueduct Access
  2. Status of Town Center (Conservation Restriction, Trail Easement and Certificate of Compliance)
  3. Stormwater Management/MS4
- 8:40 pm 9.) Planning Board: Discuss Special Town Meeting Articles
- 9:00 pm 10.) Consideration of Board and Committee Vacancies and Potential Vote for Reappointments
- 9:15 pm 11.) Review and Approve Letter to Twenty Wayland Regarding Escrow Reconciliation
- 9:25 pm 12.) Review and Vote to Approve Minutes of June 6, 2016, and Vote to Release Redacted Executive Session Minutes of June 6, 2016
- 9:35 pm 13.) Review and Approve Consent Calendar (See Separate Sheet)
- 9:40 pm 14.) Review Correspondence (See Separate Index Sheet)
- 9:45 pm 15.) Report of the Town Administrator
- 9:55 pm 16.) Selectmen's Reports and Concerns
- 10:05 pm 17.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:10 pm 18.) Adjourn

**DATE: JUNE 10, 2016**

**TO: BOARD OF SELECTMEN**

**RE: APPOINTMENTS TO VACANT POSITIONS ON PERMANENT MUNICIPAL BUILDING COMMITTEE AND ECONOMIC DEVELOPMENT COMMITTEE**

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**REQUESTED ACTION, PATRICK ROWE:**

INTERVIEW AND CONSIDER PATRICK ROWE TO FILL A VACANT POSITION ON THE PERMANENT MUNICIPAL BUILDING COMMITTEE.

THERE ARE TWO OPEN POSITIONS: ONE TO EXPIRE ON JUNE 30, 2017, AND ONE TO EXPIRE ON JUNE 30, 2018.

**VOTE:**

TO APPOINT PATRICK ROWE TO THE PERMANENT MUNICIPAL BUILDING COMMITTEE, EFFECTIVE IMMEDIATELY, FOR A TERM TO EXPIRE ON *(JUNE 30, 2017 OR JUNE 30, 2018.)*

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**REQUESTED ACTION, DOUG LEVINE:**

INTERVIEW AND CONSIDER DOUG LEVINE TO FILL ONE VACANT POSITION, AS OF JULY 1, 2016, ON THE ECONOMIC DEVELOPMENT COMMITTEE

**VOTE:**

TO APPOINT DOUG LEVINE TO THE ECONOMIC DEVELOPMENT COMMITTEE, FOR A THREE-YEAR TERM, EFFECTIVE JULY 1, 2016, AND EXPIRING ON JUNE 30, 2019.

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Attached: Résumé from Patrick Rowe  
Résumé from Doug Levine

## **DiNapoli, MaryAnn**

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**From:** Keefe, Ben  
**Sent:** Thursday, June 02, 2016 9:28 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** RE: Opening on PMBC

Dear Wayland Town Selectmen,

My name is Patrick Rowe. I have lived at 147 Rice Road in Wayland since 2010 and would like to offer my services to be a member of the PMBC. I have spent my career as Commercial Real Estate professional. My work has provided me the opportunity to gain exposure and learn about a variety of aspects of the real estate business including investing, development, and asset management. I feel these experiences will help me as a committee member. I am excited about the opportunity to help contribute to my community. If you have any questions or concerns, please feel free to contact me at [prowe@mit.edu](mailto:prowe@mit.edu) or by phone at 617-233-7812. Included below is a brief synopsis of my professional and Education Experience.

Sincerely,

Patrick Rowe

### **Education**

**Dartmouth College 1997-2001**  
B.A Economics

**Massachusetts Institute of Technology 2006-2007**  
Master's Degree in Real Estate Development

### **Professional**

**MIT Investment Management Company 2007-Present**  
Director, Portfolio Management and Asset Management

**KSS Realty Partners 2004-2006**  
Analyst

**Bonz and Company 2001-2004**  
Real Estate Advisor

Cherry Karlson  
Board of Selectmen  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

Nan Balmer  
Town Administrator  
Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

May 11, 2016

Dear Ms. Karlson and Ms. Balmer:

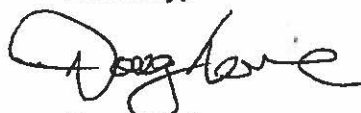
I write to submit my application to serve as a member of the Economic Development Committee. My education and professional background combined with a deep-seated familiarity with our town will allow me to make a meaningful contribution to the Committee. I would be honored to serve our town in this capacity.

My degrees in public administration and law as well as my service in government at the federal, state, and local levels, position me to be able to effectively advocate for the town's economic development priorities at town meetings as well as with prospective developers. Further, having practiced law and served in policy development roles, I am well acquainted with the regulatory process and comfortable understanding and applying regulations and bylaws.

My wife and I moved to Wayland several years ago and have begun to develop relationships with a number of neighbors throughout town by getting involved in multiple ways, including membership in the Wayland Childrens and Parents Association, and the Wayland Dads Group. Having grown up next door in Weston, I am familiar with a number of the challenges confronting our town, including issues related to commercial development.

I have attended the monthly morning meetings of the EDC for the last several months and am excited about the opportunity to be an official member of the Committee. Attached please find my CV, and let me know if there is any other information I may provide. Thank you for your consideration.

Sincerely,



Doug Levine  
9 Gray Birch Lane

# DOUGLAS A. LEVINE

9 Gray Birch Lane · Wayland, MA 01778 · (617) 271-8333 · douglevine@post.harvard.edu

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## **LEGAL EXPERIENCE**

**EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY, Boston, MA** July 2013 – Present

*Special Counsel*

*General Counsel (September 2013 – April 2015)*

*Deputy General Counsel (July – September 2013)*

Serve as legal advisor to the Secretary, Undersecretaries, and Chief of Staff for one of the largest Cabinet offices within state government, overseeing 13 agencies and a budget in excess of \$1 billion dollars, including the Massachusetts State Police, Department of Correction, Massachusetts Emergency Management Agency, Parole Board, and the National Guard. Help manage legal team, including agency general counsel, and provide legal and policy guidance on criminal justice and homeland security issues. Serve as in-house counsel for internal employment and labor matters, as well as administrative and regulatory issues. Formulate policy related to litigation, comment on legislation, and serve as a liaison to the Governor's Office of Legal Counsel.

**UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C.** October 2009 – July 2013

*Attorney Advisor, Office of Legislative Affairs*

Served as liaison between the Department and Congress and between the Department and Office of Management and Budget. Communicated with congressional staff on behalf of the Office of Justice Programs, the Department's grant-making component. Managed clearance of written testimony, legislative proposals, questions for the record, and white papers for the Department's criminal and law enforcement portfolios. Responded to congressional oversight requests. Coordinated negotiations among agencies to resolve conflicts and establish unified policy positions. Negotiated with other federal agencies to protect the Department's interests and advocate for the Department's legislative agenda. Held top secret level security clearance.

**UNITED STATES DEPARTMENT OF HOMELAND SECURITY, Washington, D.C.** October 2008 – October 2009

*Attorney Advisor, Office of the General Counsel*

Advised Department leadership and staff on legislative matters, including draft bills, congressional testimony and Statements of Administration Policy regarding transportation security, infrastructure protection, and cyber security. Drafted legislation, Department talking points, and memoranda providing guidance on Department authorities and legislative proposals. Served as legislative liaison to the Office of Management and Budget. Held secret level security clearance.

**BOSTON POLICE DEPARTMENT, OFFICE OF THE LEGAL ADVISOR, Boston, MA** March – September 2006

*Staff Attorney*

Managed a diverse caseload representing police officers, civilian employees, and members of the Department's Command Staff. Successfully prosecuted complaints resulting from Internal Affairs investigations before administrative boards, and appeals before the Massachusetts Civil Service Commission.

**CLARK, HUNT & EMBRY, Cambridge, MA** September 2004 – March 2006

*Associate, Litigation Department*

Litigated complex caseload in general practice firm, including insurance subrogation matters, construction litigation, sexual harassment cases, and wrongful death claims.

**OFFICE OF THE MIDDLESEX COUNTY DISTRICT ATTORNEY, Cambridge, MA** September 2001 – September 2004

*Assistant District Attorney*

Prosecuted felonies and misdemeanors in district and juvenile courts. Tried numerous jury and bench trials. Assisted and counseled victims of domestic violence. Drafted opposition to interlocutory motion to Massachusetts Supreme Judicial Court, and drafted and argued appeal to Massachusetts Court of Appeals.

## **EDUCATION**

**HARVARD UNIVERSITY – JOHN F. KENNEDY SCHOOL OF GOVERNMENT, Cambridge, MA**  
*Master in Public Administration, June 2008*

**Activities:** Elected President, Kennedy School Student Government; Senior Features Editor, *Kennedy School Review*; Served as leader of student delegation to Pakistan

**Honors:** Winner of Robert Kennedy Award for Excellence in Public Service; Selected as Presidential Management Fellow

**NORTHEASTERN UNIVERSITY SCHOOL OF LAW, Boston, MA**  
*Juris Doctor, May 2001*

**Legal Clerkships** (Full-time, three-month positions during law school):

- United States Eleventh Circuit Court of Appeals Mediation Office, Atlanta, GA
- Office of the Middlesex County District Attorney, Cambridge, MA
- Office of the United States Attorney, Organized Crime Strike Force Unit, Boston, MA
- Office of the Massachusetts Attorney General, Special Investigations & Narcotics Unit, Boston, MA

**Activities:** Twice elected student representative to joint faculty-student governing body.

**MIDDLEBURY COLLEGE, Middlebury, VT**  
*Bachelor of Arts in Political Science and Spanish, May 1996*

**Activities:** Resident Advisor; Community service big brother; Captain, Men's Rowing Club

## **VOLUNTEER SERVICE AND AWARDS**

- Kennedy School New England Alumni Board of Directors (2013 to Present)
- Recipient of Kennedy School's Julius Babbitt Memorial Award for Alumni Service (2014)
- Elected to Kennedy School Alumni Board of Directors (2010-2014)
- President of Kennedy School Washington, DC Alumni Network (2010 to 2013)
- Co-Chair of Northeastern Law School Washington, DC Alumni Association (2009-2013)
- Member of the Northeastern Law School Alumni Board (2006-2007)
- Served as volunteer attorney in New Orleans during summer 2007. Established legal clinic serving low-income residents of the city's Broadmoor neighborhood impacted by Hurricane Katrina. Created and oversaw legal research project for Northeastern University law students to uncover and analyze systemic failures of the Road Home program, the largest housing recovery program in U.S. history.

## **BAR ADMISSIONS**

- Commonwealth of Massachusetts (January 2002)
- United States District Court for the District of Massachusetts (October 2004)
- United States Court of Appeals for the First Circuit (November 2004)



Monday, 13 June 2016

## Fred Knight's Topics for Board of Selectmen

### For Your Information

1. **Betterment billing over the remaining length of the bonds for WWTF (~16 years) and accounting of operations.** Mark Abrahams is working on these two, and he is coordinating with Brian Keveny, Sam Potter, and Jane Capasso. Initial report in July 2016; final report in August 2016.
2. **Review of Title V allocations for Town Center and ramifications of the accounting of Title V allocations for all of Town Center.** Significant work was accomplished earlier this year to update Title V allocations for all parts of the Town Center: businesses, condos, municipal pad. There is general agreement among Town departments on the total, but there still are a few questions. Bottom line is that essentially all of the Title V design flow is allocated, but not all is currently in use. However, more building at the Town Center will require building a separate leaching field, as originally conceived by KGI, the developers. New management company has been informed of this.
3. **Process of assigning Title V design flows in the future.** As is currently planned (but formal adoption needs to occur), the method for issuing future building permits will include wastewater considerations.
4. **The administration of the WWMDC.** Do we need an executive administrator, say a part-time manager of WWMDC activities, to be responsible for day-to-day activities? This is still in the discussion stage. Town Administrator and WWMDC are both exploring options. Chris Woodcock will attend 15 June 2016 WWMDC meeting to discuss options.
5. **Revision of the Rules and Regulations of the WWMDC.** I am working on this, and WWMDC will review my recommendations at 15 June 2016 mtg. The revision includes a section to allow user to request alteration of assigned Title V design flow. Whether this is a reasonable idea needs further discussion. Also, I am suggesting elimination of the provision that a potential user is required to have a valid Title V approval of an on-site septic system before joining the system. This would be a change in the Rules & Regulations, but I feel that this provision is not justified, and the NPDES permit and DEP statements effectively limit the aggregate Title V design flow. This also needs further discussion.

## **Board of Selectmen Action Needed**

1. **Close-out status of the WWTF.** The amount of funds remaining is significant: ~ \$239,000 with ~\$50,000 in close-out costs, which Ben Keefe is handling. WWMD C wants the residual funds to be transferred to the WWMD C enterprise fund, not the General Fund. In addition, there needs to be a determination of how these funds can be spent. We need consultation with Mark Lanza on this issue.
2. **Update on Article 19 from the 2016 Annual Town Meeting to purchase the 820 gpd for the Library allocation.** Two scenarios are under consideration; WWMD C will review them on 15 June 2016.
  - a. Scenario 1 is the PILOB transfer (\$53,360) occurs on 1 July 2016, but Library is not connected until a decision about whether Library stays is made. Then maybe connection is part of enlargement construction and, presumably, can be reimbursed.
  - b. Scenario 2 is the PILOB payment from 2016 ATM Article 19 is delayed until January 2017, so that it can be included in the Library reimbursement, if it is approved by the State. Reimbursement is anticipated after consultation with MBLC. WWMD C does not yet have a position on this delay.
  - c. Cost for connecting is not included in article, but FY2017 cost is included. FY2017 operations costs (~\$2,200) are to be billed to Library by WWMD C,
  - d. The WWMD C plans to use the PILOB money to offset user fees. Mark Lanza needs to determine how the WWMD C can use the PILOB funds.
  - e. The WWMD C needs to formally attain the 380 gpd remaining from Wayland Commons development. As part of this transfer of Title V allocation, the WWMD C thought that obtaining the unused parcel of land for the Town would be feasible. Parcel would be held by the Conservation Commission, but they need to be brought into this transaction. WWMD C will discuss this on 15 June 2016 meeting. Mark Lanza wants Conservation Commission to approve this proposal first. Who actually controls the parcel also needs research. There are outstanding charges on the parcel, and these would be forgiven in exchange for the parcel.
  - f. We also have to add to the WWMD C aggregate Title V design flow the 440 gpd, relinquished by Bastons, that is also not generating any income right now. As Nan noted at a WWMD C meeting, it has to be returned to our aggregate Title V

Monday, 13 June 2016

design flow---meaning that our total will go from 76,245 gpd to 76,685 gpd. (The 380 gpd was already included in the total, but no betterment was paid for it.)

- g. Jane has to start charging the Library in FY2017/Q1 (Jul-Sep 2016) for 820 gpd and no flow.
- h. Cost for wastewater has to be added to Library FY2018 budget. TBD, but probably about \$2,600/year.

# 10 REAPPOINTMENTS

**To:** Board of Selectmen  
**From:** MaryAnn DiNapoli  
**Date:** June 10, 2016  
**Re:** Annual Reappointments

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The following is the list of board and committee members whose appointments will expire on June 30, 2016, and who wish to be reappointed.

Please note that Matthew Ludwig, Cultural Council, has requested that he be reappointed for only one year, as he will be leaving for college in 2017.

<u>Name</u>	<u>Appointing Authority</u>	<u>Board/Committee</u>	<u>Term</u>
Christopher Cullen	Selectmen	Audit Committee	three
Gretchen Schuler	Selectmen	Community Preservation Committee	three
William E. Pickett	Selectmen	Constable	three
Louis Gaglini	Selectmen	Constable	three
William Sterling	Selectmen	Council on Aging	three
Nancy Leifer	Selectmen	Council on Aging	three
Denise N. Yurkofsky	Selectmen	Council on Aging	three
Kara Brewton	Selectmen	Cultural Council	three
Matthew Ludwig	Selectmen	Cultural Council	one
Barbara Holtz	Selectmen	Cultural Council	three
Susan L. Wagner	Selectmen	Dog Control Appeals Board	three
Arthur Fine	Selectmen	Dog Control Appeals Board Alternate	three
Rebecca M. Stanizzi	Selectmen	Economic Development Committee	three
James Grumbach	Selectmen	Economic Development Committee	three
William Huss	Selectmen	Energy Initiatives Advisory Committee	three
Anne Harris	Selectmen	Energy Initiatives Advisory Committee	three
Kathie Steinberg	Selectmen	Historic District Commission	three
Kevin J. Crowley	Selectmen	Historic District Commission	three
Margery F. Baston	Selectmen	Historic District Commission	three
Sheryl Simon	Selectmen	Historic District Commission Alternate	three
Armine S. Roat	Selectmen	Housing Partnership (representing Planning Board)	three
Betty J. Salzberg	Selectmen	Housing Partnership (representing Conservation Commission)	three
Mary M. Antes	Selectmen	Metrowest Regional Collaborative Comm	one
Joseph F. Nolan	Selectmen	Metrowest Regional Transit Authority Advisory Board	three
Sarkis Sarkisian	Selectmen	Metrowest Regional Transit Authority Advisory Board (alternate)	three

<u>Name</u>	<u>Appointing Authority</u>	<u>Board/Committee</u>	<u>Term</u>
Stephen A. Greenbaum	Selectmen	Municipal Affordable Housing Trust Fund Board	two
Brian O'Herlihy	Selectmen	Municipal Affordable Housing Trust Fund Board	two
Eric Sheffels	Selectmen	Permanent Municipal Building Committee	two
Brian J. Chase	Selectmen	Permanent Municipal Building Committee	two
Patricia Nelson	Selectmen	Senior Tax Relief Committee	three
Stephen J. Colella	Selectmen	Senior Tax Relief Committee	three
Anne Gilbert	Selectmen	Senior Tax Relief Committee (representing Finance Committee)	three
Frederick K. Knight	Selectmen	Wastewater Management District Commission	three
Brenda S. Ross	Selectmen	Youth Advisory Committee	two

The following is the list of board and committee members who will be interviewed at the June 27, 2016, meeting.

<u>Name</u>	<u>Appointing Authority</u>	<u>Board/Committee</u>	<u>Term</u>
Sherre Greenbaum	Selectmen	Conservation Commission	three
Betty J. Salzberg	Selectmen	Conservation Commission	three
Gil Wolin	Selectmen	Finance Committee	three
Jessica W. Green	Selectmen	Personnel Board	five
Thomas W. White	Selectmen	Zoning Board of Appeals	three
Argiro Shapiro	Selectmen	Zoning Board of Appeals (Associate)	three

New volunteers Adam Hirsh and Jason Drori will also be interviewed for a position on the Zoning Board of Appeals.

11. Approval - 20 Wayland  
Escrow Reconciliation

DATE: JUNE 10, 2016  
TO: BOARD OF SELECTMEN  
FROM: ELIZABETH DOUCETTE, FINANCIAL RESEARCH / ANALYST  
RE: STATUS OF TOWN CENTER PROJECT DEVELOPMENT AGREEMENT CONSULTANT  
FEE PAYMENT RECONCILIATION

**BOARD ACTION REQUESTED:**

**APPROVE LETTER TO TWENTY WAYLAND REGARDING TOWN CENTER PROJECT  
DEVELOPMENT AGREEMENT ESCROW RECONCILIATION**

**BACKGROUND:**

- The Town provided a final accounting of all consultant fees paid by Twenty Wayland, pursuant to Section 8 of the MOA, in a letter addressed to Anthony J. DeLuca, Manager, Twenty Wayland, LLC dated May 2, 2016 (letter attached).
- The Town received a letter of response dated May 18, 2016 (letter attached) requesting the following:
  1. A revision to the account summary to include two checks totaling \$40,279.67, paid to the Town prior to the MOA.
  2. A detailed accounting of services from BETA (\$34,233.52) from 10/29/12 to 6/23/14 and Schofield (\$3,000) on 6/20/11.

**STATUS AND NEXT STEPS:**

- Town Counsel was consulted and prepared a draft letter of response. The Town plans to finalize and send the response letter and detailed accounting on Monday, June 13, 2016.

**Attachments:**

May 2, 2016 letter to Twenty Wayland, LLC  
May 18, 2016 response letter from Twenty Wayland, LLC  
Draft letter to Twenty Wayland, LLC

Letter to 20 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  
LEA T. ANDERSON  
MARY M. ANTES  
LOUIS B. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

May 2, 2016

Anthony J. DeLuca, Manager  
Twenty Wayland, LLC  
10 Memorial Boulevard - Suite 901  
Providence RI 02903

RE: Town Center Project, Wayland, Massachusetts Development  
Agreement Consultant Fee Payment Reconciliation

Dear Mr. DeLuca:

As you know, under Section B, Paragraph 8(c) of the Memorandum of Agreement between the Town of Wayland and Twenty Wayland, LLC ("20 Wayland") dated March 28, 2006, as amended (the "MOA"), the Town is required to provide a final accounting of all consultant fees paid by 20 Wayland pursuant to Section 8 of the MOA. A final accounting of all such payments and expenses is enclosed for your review. The Town hopes that the enclosed reconciliation is acceptable to 20 Wayland.

The reconciliation shows a \$1,751.26 shortfall in the total amount of consultant fees payable to the Town under Section 8 of the MOA.

Upon 20 Wayland's confirmation that the enclosed reconciliation is acceptable, or if it is deemed acceptable by the passage of 30 days without objection, the Town will provide 20 Wayland a written release from any further obligations in excess of \$1,751.26 relative to consultant fee payments under Section B of the MOA.

Please contact me if you would like to discuss this matter.

Thank you for your attention to this matter.

Very truly yours,

Cherry Karlson, Chair

/encl

cc: Town Administrator (w/ encl.)  
Town Planner (w/encl.)



20Wayland  
Response  
RECEIVED

MAY 20 2016

Board of Selectmen  
Town of Wayland

May 18, 2016

Ms. Cherry C. Karlson, Chair  
Wayland Board of Selectmen  
41 Cochituate Road  
Wayland, MA 01778-2614

Re: May 2, 2016 Escrow Reconciliation Letter  
Town Center Project

Dear Ms. Karlson,

On May 13, 2016 Twenty Wayland, LLC ("20Wayland") received an electronic copy of the above referenced letter. The letter was provided pursuant to Article 8 of the Memorandum of Agreement dated March 28, 2006 and amended on October 20, 2009 ("MOA") associated with the Town Center Project.

The account summary attached to the letter indicated that, after deducting the previous reimbursement to 20Wayland and including accrued interest, \$401,751.26 was the net amount expended by the town of Wayland. The MOA obligates 20Wayland to compensate Wayland for related costs subject to a minimum payment of \$400,000. Accordingly, the town of Wayland has concluded that we owe \$1,751.26.

We disagree that 20 Wayland has an outstanding balance. Pursuant to Article B8 of the MOA we request the following:

1. That the account summary be revised to include Check 39 (dated September 29, 2005) and Check 95 (dated November 18, 2005), totaling \$ 40,279.67. These two check are missing from the reconciliation provided. Copies of those checks are attached; and
2. Proper detail to justify that services from BETA (\$34,233.52) from 10/29/12 to 6/23/14 and Schofield (\$3,000) on 6/20/11 were expended pursuant to the MOA.

Please do not hesitate to contact me at 617/548-8416 should you have any questions.

Very Truly Yours,

Francis X. Dougherty  
Director of Development

cc: A. Deluca, KGI Properties



TWENTY WAYLAND, LLC

d/o The KGI Properties

One Providence Washington Plaza

Providence, RI 02903

Bank of America  
Providence, RI 02903

67-1  
115

DATE

November 16, 2005

CHECK NO.

95

AMOUNT

\$\*\*\*\*\*3,820.00

Pay \*\*\*\*\* Three thousand eight hundred twenty dollars and no cents

PAY  
TO THE  
ORDER OF

Town of Wayland

SECURITY FEATURES INCLUDE MICROPRINTING - VOID PANTOGRAPH - ENDORSEMENT BACKER - BROWN STAIN CHEMICAL REACTANT

⑈000000095⑈ ⑆011500010⑆003940324814⑈

⑈0000382000⑈

# Paid Invoice Register by Property

The Koffler Group

05-06-2014      Page 1  
 System Date: 05-06-2014  
 System Time: 9:48 am  
 Files Used: MASTER.APM  
 HISTORY.API,NEW.API,MASTER.APM  
 MASTER.GLM

Payment date from: 1-01-2004      Payment date to: 12-31-2013

Property:                      227

<u>Invoice</u>	<u>Payment Type</u>	<u>Payment Account</u>	<u>Payment Reference</u>	<u>Payment Date</u>	<u>Property Expense Acct</u>	<u>Original Amount</u>	<u>Amount Paid</u>	<u>Discount Taken</u>	<u>Discount Lost</u>	<u>Balance</u>
KOFFMANA 1436	Check Check	227BOAOPE 39		09-29-2005	227-16001.01	26,459.67	26,459.67			
		227BOAOPE 39		09-29-2005	227-10190.00	10,000.00	10,000.00			.00
					<b>Vendor Totals</b>	<b>36,459.67</b>	<b>36,459.67</b>	<b>.00</b>	<b>.00</b>	<b>.00</b>
					<b>Property Totals</b>	<b>36,459.67</b>	<b>36,459.67</b>	<b>.00</b>	<b>.00</b>	<b>.00</b>
					<b>Report Totals</b>	<b>36,459.67</b>	<b>36,459.67</b>	<b>.00</b>	<b>.00</b>	<b>.00</b>

WARNING: THIS CHECK IS PROTECTED BY SPECIAL SECURITY FEATURES

**TWENTY WAYLAND, LLC**  
 c/o The Koffler Group  
 One Providence Washington Plaza  
 Providence, RI 02903

Bank of America  
 Providence, RI 02903

57-1  
 115

DATE      CHECK NO.      AMOUNT  
 September 29, 2005      39      \$\*\*\*\*\*36,459.67

Pay \*\*\*\*\*Thirty-six thousand four hundred fifty-nine dollars and 67 cents

PAY TO THE ORDER OF      Koffler Management Company LLC  
 1 Providence-Washington Plaza  
 9th Floor  
 Providence, RI 02903

Kamberly J.

SECURITY FEATURES INCLUDE MICROPRINTING • VOID PANTOGRAPH • ENDORSEMENT BACKER • BROWN STAIN CHEMICAL REACTANT

⑈000000039⑈ ⑆011500010⑆003940324814⑈

⑈0003645967⑈

Draft Letter of  
Response for  
Approval

[WAYLAND BOARD OF SELECTMEN LETTERHEAD]

June \_\_, 2016

Anthony J. DeLuca, Manager  
Twenty Wayland, LLC  
c/o  
KGI Properties  
10 Memorial Boulevard - Suite 901  
Providence, RI 02903

RE: Town Center Project Development Agreement Consultant Fee  
Reconciliation

Dear Mr. DeLuca:

I am writing you in response to your letter to me dated May 18, 2016 concerning the above-referenced subject.

Your company's request that the Town revise the reconciliation by granting a credit for two checks totaling \$40,279.67 paid to the Town in the Fall of 2005 is not appropriate. The amounts paid are unrelated to the consultant fees that your company was obligated to pay under its Memorandum of Agreement with the Town dated March 28, 2006 (the "MOA"). The escrow account reconciliation required under Section 8 c of the MOA relates only to the "payment of invoices for the various costs and consultant fees required of the Developer pursuant to this Section [8 of the MOA]".

Attached are copies of the invoices for services paid to BETA (\$34,233.52) from October 29, 2012 to June 23, 2014 and Schofield Brothers of New England, Inc. on June 20, 2011 (\$3,000) showing that the services performed by them were related to advice and information provided to Planning Board and Conservation Commission relative to the Town Center Project Development.

Please accept this letter and the enclosed documents as additional support for the final that was provided to your company on May 2, 2016. I reiterate the Town's May 2, 2016 request for confirmation that the reconciliation is acceptable.

Thank you for your attention to this matter.

Very truly yours,

Cherry Karlson, Chair

Encl.'s

cc Town Administrator (w/ encl's)  
Town Planner (w/ encl.'s)



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

### Board of Selectmen Meeting Minutes June 6, 2016

**Attendance:** Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Joseph F. Nolan  
**Also Present:** Town Administrator Nan Balmer

**A1. Open Meeting and Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Health Insurance 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 to Discuss Civil Service with Respect to the Police Union; and to Discuss an Arbitration Filing with Respect to the Police Union; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to Discuss Strategy with Respect to Negotiations with Non-Union Personnel, Police Chief Contract; And Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to Review and Consider for Approval the Potential Release of the Following Minutes Pertaining to the Following Subjects, because a Public Discussion of Pending Litigation and Collective Bargaining will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating Position of the Town: Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Municipal Parcel at the Town Center Project; and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to pending action regarding Bernstein, et al v. Planning Board: May 23, 2016** At 6:03 p.m., C. Karlson moved, seconded by M. Antes, to enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to health insurance 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 to discuss Civil Service with respect to the Police Union; and to discuss an arbitration filing with respect to the Police Union; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(2) to discuss strategy with respect to negotiations with Non-Union Personnel, the Police Chief contract; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(7), to review and consider for approval the potential release of the following minutes pertaining to the following subjects: pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, taking, lease or value of real property in regard to the Municipal Parcel at the Town Center Project; and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3), to discuss strategy with respect to pending action regarding Bernstein, et al v. Planning Board: May 23, 2016. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, bargaining or negotiating position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. Chair C. Karlson invites attendance by Town Administrator Nan Balmer, Assistant Town Administrator/Human Resources Director John Senchyshyn, Town Counsel Mark Lanza, and Executive Assistant MaryAnn DiNapoli. The Board will reconvene in open session in approximately one hour.

The Board returned to open session at 7:15 p.m.

**A2. Call to Order by Chair** Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:15 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted the meeting will likely be broadcast and videotaped for later broadcast by WayCAM. M. Antes said the RiverFest celebration, sponsored by the River Stewardship Council, will take place on June 18-19. L. Anderson said a Community Forum on the Library Project will be held at the Town Building on June 8. J. Nolan congratulated the recent Wayland High School graduates, and noted that an odd/even water ban has been put into effect as of June 4.

**A3. Public Comment** Police Chief Robert Irving advised the Board that a letter was received from the Massachusetts Department of Transportation, authorizing the adoption of a change to 30 MPH on .12 miles of Stonebridge Road; he recommended that the Board accept the change. Bill Sterling, 14 Morse Road, expressed concern on behalf of the Pine Brook Neighborhood Association about the potential development of a 40B housing project at the current site of Mahoney's Garden Center, and he urged the Board to expedite a Housing Production Plan to allow the Zoning Board of Appeals to deny inappropriate comprehensive permit plans. Judy Bennett, 66 Hawthorne Road, said there is strong neighborhood support that the parcels of land at 4 and 8 Sycamore Road remain as town-owned property. She said a conservation restriction would protect the land but also allow use for future septic purposes. She also noted there is a water easement that does not appear on the map.

**A4. Interview for Appointment to the Permanent Municipal Building Committee** This agenda item was postponed to a future date as Patrick Rowe was not able to attend.

**A5. Discussion and Vote to Authorize Town Administrator to Seek Special Counsel to Prepare an Opinion Regarding Restrictions on Title on 5 Concord Road** The Board was joined by Town Counsel Mark Lanza. N. Balmer said the Board of Library Trustees voted to ask the Board of Selectmen to appoint Special Counsel to review the deed restrictions on 5 Concord Road, as well as other town parcels which are of interest. M. Lanza said the requirement to use the land at 5 Concord Road for a library is unclear in the deed and will, and he cannot issue an opinion. He said the only way to ensure a clear title is to get a judicial declaration and title insurance, which involves time and expense. He recommended that the Board hire a real estate law specialist who certifies title and can provide a written opinion. As for other potential sites for the library, M. Lanza said there are no title issues. J. Nolan moved, seconded by L. Anderson, to authorize the Town Administrator to seek Special Counsel on behalf of the Library for a legal opinion regarding deed restrictions on the use of 5 Concord Road, and that said hire should be a title specialist with the ability to issue title insurance. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A6. Hear Staff Report on Request to Purchase Sycamore Road Parcels; Vote on Next Steps**

N. Balmer asked the Board to consider additional steps in regard to the sale of the town-owned land at 4 and 8 Sycamore Road. She reviewed the request to purchase from the Lowery family, and provided opinions on the release of the land from the town land use departments. She said there has not yet been a public hearing, and advised that the cost to update the current appraisal would be approximately \$1,000. The Board discussed the appropriate disposition of the land, including the potential future need for a shared septic system. It was the consensus of the Board to take no action.

**A7. Project Update from Facilities Director** The Board was joined by Ben Keefe, Facilities Director, for a review of the current building projects. B. Keefe provided a list of projects approved by town meeting, with timelines for completion. He said the school projects will be undertaken first, as well as the painting of the town building. He said the Loker School windows project was eligible for an MSBA grant and could possibly be ready by next summer. He provided an update on the solar projects, noting that the foundations are in at

the Middle and High Schools, and the DPW facility is ready and waiting for the panels. Board members reviewed the outstanding projects. B. Keefe said he has not had time to prepare a long range plan, but a full facilities assessment should be done soon. Michael Lowery, Vice Chair, Board of Public Works, asked that the DPW project not be closed until the River's edge project issues are resolved. B. Keefe reviewed the energy budget.

**A8. Meet with Energy Initiatives Advisory Committee** The Board was joined by Ellen Tohn and John Harper, members of the Energy Initiatives Advisory Committee, and Facilities Director Ben Keefe. B. Keefe said that both the Purchase and Sales agreement for the streetlights, and the Solar Tax Agreement, had been reviewed and approved by Town Counsel. He said the streetlight project will be run through the current facilities budget, and the payback is expected in less than two years.

J. Nolan moved, seconded by M. Antes, to approve the Purchase and Sales Agreement and License regarding the purchase of streetlights from Eversource, and to authorize the Town Administrator to take any additional actions to change to LED street lighting. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. M. Antes asked that the public be informed of the streetlight conversion, and E. Tohn advised the Board that Transition Wayland will distribute information and communicate with the schools.

J. Harper reviewed the Solar Tax Agreement. M. Antes moved, seconded by L. Anderson, to approve the Solar Tax Agreement, and to authorize the Town Administrator to execute the agreement. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A9. Vote to Sign Change in Speed Limit for .12 Mile on Stonebridge Road** J. Nolan moved, seconded by L. Anderson, to sign the Special Speed Limit Regulation No. 945-B to change the speed limit to 30 MPH on a .12 stretch of Stonebridge Road. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A10. Discuss and Vote to Approve Date for Annual Town Meeting** The Board reviewed potential dates for the 2017 Annual Town Meeting. M. Antes moved, seconded by J. Nolan, to set the date of the 2017 Annual Town Meeting to begin on Sunday, April 2, 2017, with follow-up dates of Monday, April 3, Wednesday, April 5, and Thursday, April 6. YEA: L. Anderson, M. Antes, C. Karlson, J. Nolan. NAY: L. Jurist. ABSENT: none. ABSTAIN: none. Adopted 4-1.

**A11. Council on Aging/Community Center Advisory Committee: Review Next Steps and Discuss Form for Updated Charge** C. Karlson reviewed the need to update and review the charge for the Council on Aging/Community Center Advisory Committee. She said updates include consideration of phasing the project, a comparative analysis of facilities in peer towns, a concept plan for the town green, conservation issues such as site restrictions, better organization of the website, addressing the concerns of the Wayland Real Asset Planning (WRAP) Committee, and reporting back to the Board of Selectmen. L. Jurist expressed concern that there is an overlap of two issues: the best use of the municipal parcel, and the best location for a Council on Aging/Community Center. The Board discussed the potential use of the space, the meaning of recreation and community space, and the potential need for more members on the committee. C. Karlson said she would attempt to address the issues raised and provide an updated draft for further review.

**A13. Discuss and Vote on Resolution for Plaque at the Public Works Facility** J. Nolan moved, seconded by M. Antes, that the Board of Selectmen support the resolution to place a plaque at the Public

Works Facility which dedicates the Public Works Facility to Stephen “Stubby” Kadlik in recognition of his 42 years of dedicated and unwavering service to the residents of Wayland. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A12. Review and Approve Minutes of May 23, 2016; Potential Vote to Release Executive Session Minutes of May 23, 2016** M. Antes moved, seconded by L. Anderson, to approve the minutes of May 23, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. L. Anderson moved, seconded by M. Antes, to approve and release with redactions the executive session minutes of May 23, 2016. YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A14. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by J. Nolan, to approve the consent calendar. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A15. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week’s correspondence. C. Karlson noted that all three Open Meeting Law cases are with the Attorney General and require no action.

**A16. Report of the Town Administrator** N. Balmer provided an update on the Carroll School; she advised the Board to delay any discussion until the matter has been considered by the town land use departments. She said the Wastewater Management District Commission will be on a future agenda to discuss the purchase of sewer capacity for the Library; she said it is a grant-eligible expense under the Massachusetts Board of Library Commissioners. She discussed the potential of hiring an Executive Director to take on general responsibility for the wastewater operation. She reviewed discussions with department heads regarding legal services, and the appointment of a Monitoring Agent for individual affordable homes. M. Antes said the Housing Authority Director, Brian Boggia, serves as the current Monitoring Agent for town developments, and she noted the need to update the town’s Housing Production Plan. N. Balmer distributed a copy of State House Bill No. 3940, “An Act Authorizing the Town of Wayland to Increase the Annual Spending Limit for its Recreation Department Revolving Fund.” It was the sense of the Board to agree to the act as presented.

**A17. Selectmen’s Reports and Concerns** L. Anderson reported on the recent Moderator’s Forum; she said the Town Moderator, Dennis Berry, was willing to combine the forum with the Board of Selectmen Warrant Hearing, but noted that they serve two different purposes. She said she spoke to the Town Planner, Sarkis Sarkisian, about preparing the zoning articles for the Special Town Meeting in the fall. C. Karlson said the Conservation Commission will come before the Board next week to discuss the aqueduct and the conservation restriction. M. Antes reported on the recent meetings of the MetroWest Regional Collaborative and the Metropolitan Area Planning Council in regard to MS4 permitting. She reviewed a meeting with S. Sarkisian and Michael Lowery, Vice Chair, Board of Public Works, in regard to the proposed sign bylaw, and presented a model for displaying signs between fixed bollards. She said the Board of Public Works is considering taking the responsibility for the approval of signs.

**A18. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any** The Chair said, “I know of none.”

**A19. Adjourn** There being no further business before the Board, M. Antes moved, seconded by L. Jurist, to adjourn the meeting of the Board of Selectmen at 9:50 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.



**Items Included as Part of Agenda Packet for Discussion During the June 6, 2016 Board of Selectmen's Meeting**

1. Résumé of Patrick Rowe for Permanent Municipal Building Committee
2. Memorandum of 6/6/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Library Request for Special Counsel
3. Opinion of Town Counsel Mark J. Lanza, 3/30/16, re: Town Library Site Use Restrictions
4. Memorandum of Nan Balmer, Town Administrator, to Board of Selectmen re: Sale of Town Land on 4 and 8 Sycamore Road
5. Proposed Vote to Approve Solar Tax Agreement and Copy of Solar Tax Agreement
6. Memorandum of 6/2/16 from Ben Keefe, Public Buildings Director, to Board of Selectmen, re: Project Update
7. Memorandum of 6/3/16 from Ben Keefe, Public Buildings Director, to Board of Selectmen, re: LED Street Lighting Retrofit Project, with Purchase and Sale Agreement regarding Municipal Street Lights and License Agreement
8. Memorandum of 6/6/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Stonebridge Speed Limit
9. Memorandum of 6/6/16 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Spring 2017 Annual Town Meeting Date
10. Update: Council on Aging/Community Center Advisory Committee Draft Charge, Original Charge, and List of Funds Available
11. Draft Minutes of 5/23/16
12. Memorandum of 6/2/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, re: Public Works Facility Resolution
13. Report of the Town Administrator for the Week Ending June 3, 2016

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of June 6, 2016**

1. State House Bill No. 3940, An Act Authorizing the Town of Wayland to Increase the Annual Spending Limit for its Recreation Department Revolving Fund
2. Letter of 6/2/16 from Pine Brook Neighborhood Association to Board of Selectmen re: Proposed Development of Mahoney's Garden Center on Route 20
3. Image of Plaque to Honor Stephen "Stubby" Kadlik at the Public Works Facility
4. RiverFest Brochure, Celebration on June 18-19, 2016
5. Map of Stonebridge Road

**TOWN ADMINISTRATOR'S REPORT  
WEEK ENDING JUNE 10, 2016**

**PREPARATION OF MEETING MINUTES**

Attached please find memo from the HR Director regarding staffing arrangements for the preparation of meeting minutes.

**WASTEWATER MANAGEMENT DISTRICT COMMISSION – LIBRARY PILOB STATUS**

An Agreement is required between WWMDC and Brendon Homes (Wayland Commons) to relinquish 380 gallons per day of sewer capacity in order to complete the \$56,000 Payment in Lieu of Betterment of 820 gpd for the Library. Under the Agreement, Brendon Homes will donate land adjacent to Cow Commons to the Conservation Commission. Unlike other donations of land to the town, under state law the Conservation Commission may accept this donation without a Town Meeting vote. The Conservation Commission is interested in this donation but must research the property.

**UPDATE – PLANNING BOARD: 150 MAIN - CVS**

The Planning Board voted to remove condition 30. Project approval is now subject to a permanent deed prohibiting restriction prohibiting Hammond road from ever being considered a street for zoning purposes. A Building permit application has been filed with the Building Commissioner.

**LEGAL SERVICES**

After completion of annual meetings with Department Heads, I will develop a draft RFP for Town Counsel services for department head review and comment and then will present the RFP to the Selectmen for consideration. Dr. Stein will review with the School Committee whether they would like to purchase legal services from the Town. I let Dr. Stein know that conditions of employment of Town Counsel, such as office hours may change in the future. I suggested he prepare a request for a separate 'school only' scope of work so the schools could add on services as an option of accepting if the Selectmen choose a new Counsel.

**AFFORDABLE HOUSING – ASSESSING**

The Director of Assessing is researching what would be required to assess the Habitat Homes at the affordable price in the deed restriction (\$150,000 +/-) rather than the market value price listed on the deed (\$400,000 +/-).

**GLEZEN LANE**

A court hearing date was set for July 28<sup>th</sup>.

**OPEN SPACE AND RECREATION PLAN**

Draft recommendations will be presented at a public meeting June 21<sup>st</sup> before submission of the plan to the state for approval. The Conservation Administrator is confirming that the Conservation Commission is the local authority required to submit the plan. The plan is required for the town to be eligible for a LAND grant which could provide up to \$400,000 for the purchase of Mainstone. The Conservation Administrator is also checking on what Town Meeting action is required to submit the LAND grant application.

**LOVELANE EVENT:**

Please see attached report on the Lovelane event which was reviewed by land use / public safety departments and is scheduled for 9/24.

*MINUTES  
PREPARATION*

DATE: June 13, 2016  
TO: Board of Selectmen  
FROM: John Senchyshyn, Asst. Town Administrator/HR Director  
RE: **BOARD OF SELECTMEN MINUTES**

**REQUESTED MOTION:**

**NONE**

**BACKGROUND:**

The Board of Selectmen has requested a plan for the production of both regular and executive session minutes. It is my understanding that the Board wants to have the minute taker present at the meeting and would like to have minutes approved at the following meeting.

MaryAnn DiNapoli is no longer able to attend meetings. In addition, during periods of Town Meeting preparation, it is difficult for MaryAnn to devote sufficient time to both Town Meeting and the production of minutes in the requested time frame.

As an alternative, I suggest the following plan for the Board's consideration:

- Human Resources Assistant Katelyn O'Brien has expressed an interest in producing minutes for the Board of Selectmen. Katelyn is willing to attend Board meetings and produce minutes outside of her regular workday tasks.
- In order to make the process efficient, I recommend the minutes be prepared and submitted for approval on a 2-week cycle rather than a 1-week. A 1-week cycle is an extremely tight time-frame to prepare the minutes, forward the minutes to the Chair and Vice-Chair for review, receive the minutes back, make any recommended changes and insert the minutes into the weekly Board packet. It will be nearly impossible to meet a 1-week turnaround schedule on holiday weeks when the Board's regular meeting occurs on Tuesday.
- For regular meetings, Katelyn will attend both executive and open sessions of the meetings. She will prepare the minutes and submit them to the Chair and Vice Chair for review and comment.
- If for any reason Katelyn is unable to attend a meeting, she will prepare the minutes from a WayCam video of the Selectmen's Meeting. MaryAnn can also serve as a back-up to Katelyn for the production of minutes.
- In addition to preparing minutes, Katelyn will also:

- o Set-up the table for the meetings.
- o Provides back-up to WayCam taping of Selectmen's meetings to ensure audio is turned off/on as appropriate.
- o Assume the responsibility for gathering and storing documents associated with the meetings.
- o Produce a follow-up list of action items from the meeting.

For performing these additional duties, I recommend that Katelyn be paid a stipend.

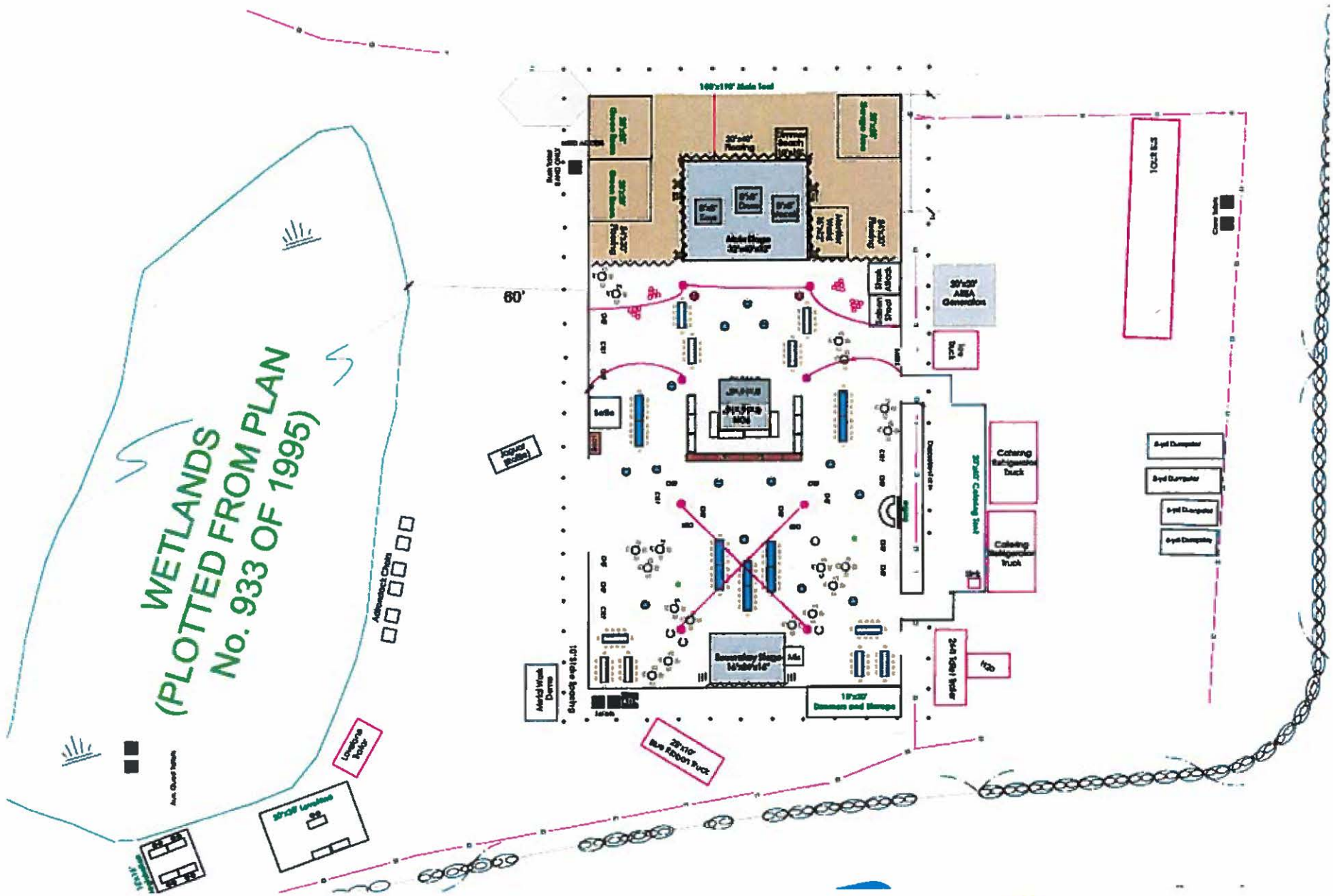
- For CY 2014 there were 42 Selectmen's Meetings. For CY 2015 there were 34 meetings. For CY 2016 there have been 16 meetings. CY 2016 is running slightly ahead of the past 2 years. These counts do not include Town Meeting nights.
- I suggest an annual stipend of \$7,500.

# Corinthian Events for



Saturday, September 24, 2016 | 4:00PM-9:30PM | 48 Lincoln Road, Wayland

**WETLANDS  
(PLOTTED FROM PLAN  
No. 933 OF 1995)**



# **SNAP SHOT OF EVENT**

**EVENT:** Fundraiser to benefit Lovelane Special Needs Horseback Riding Program (Every 2 Years) – Hoedown VII

**GUESTS:** 500-600 Guests

**LOCATION:** Private Residence: 48 Lincoln Road, Wayland

**ENTERTAINMENT:** Marshall Tucker Band, Mohegan Sun All Stars, French Lick, Jon Cohan and his Golden Rulers

**CATERING:** (19) Area Restaurants/Celebrity Chefs donated tastings for menu – plus 1 overall caterer

- CE will submit: Application for Town of Wayland Food Establishment Permit Application for Temporary Food Service
- ServSafe Certificate from Each Participating Restaurant
- Allergen Certificate from Each Participating Restaurant
- Overall Caterer will provide liquor license
- Handwashing stations will be provided in catering tent plus refrigerator trucks and ice truck on property

## **TENTING/VENUE:**

- (5) Tents – Building Permits will be pulled by Peterson Party Center
  - MAIN TENT: 100'x190' Century Tension Tent 8' Eaves
  - Catering Tent 20'x60' with Canopy Connectors to Main Tent
  - Lovelane Mission Tent 20'x30'
  - Registration Tent 16'x16'
  - Storage and Dimmers 10'x30'
- Heat (if required) will be propane – Propane Permits will be pulled by Peterson Party Center – all tanks stakes down with fire extinguisher at each
- Generators – electrical permits will be pulled by Port Lighting Systems
- Overall production duration: ~8-9 days pending weather (Load In will begin 9/19)
- Garbage will be removed at conclusion of event – (4) appropriate sized dumpsters will be sourced for duration of week including recycling barrels
- (1) 24' Toilet Trailer – 5 Female Stalls, 2 Male Stalls + 3 Urinals
- (7) Portapotty Units for overflow, crew, band, etc.
- (2) ADA Toilet Units

**TRAFFIC FLOW/SAFETY:** Traffic on 9/24 should be adjusted during the event hours to accommodate # of vehicles

- Request will be made for (5) Police Detail – (3) specifically to manage the flow of traffic; (2) presence at event
- Request will be made for Fire Detail and EMT on site – in 2014 at same site, we had (5) Officers and (1) Brush Unit
- CE will work closely with Fire Chief to ensure all regulations are being followed and will perform any walk throughs requested
- CE will provide directional valet service
- Security will be provided for overnight load in of production as well as during event

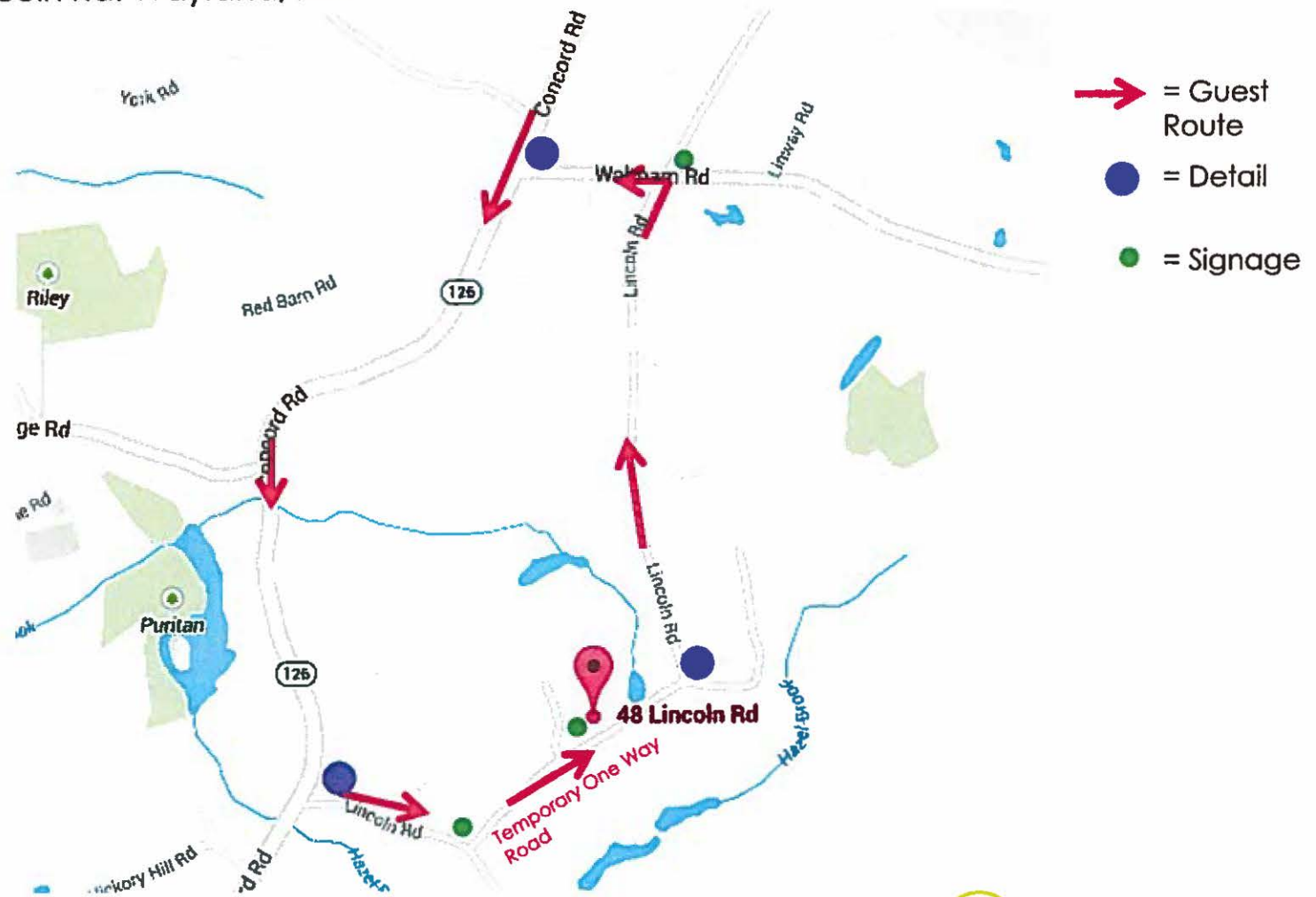
# Traffic Flow Request | 9/24 3:30PM-10:00PM

Event: Lovelane Fundraiser

Date: September 24, 2016

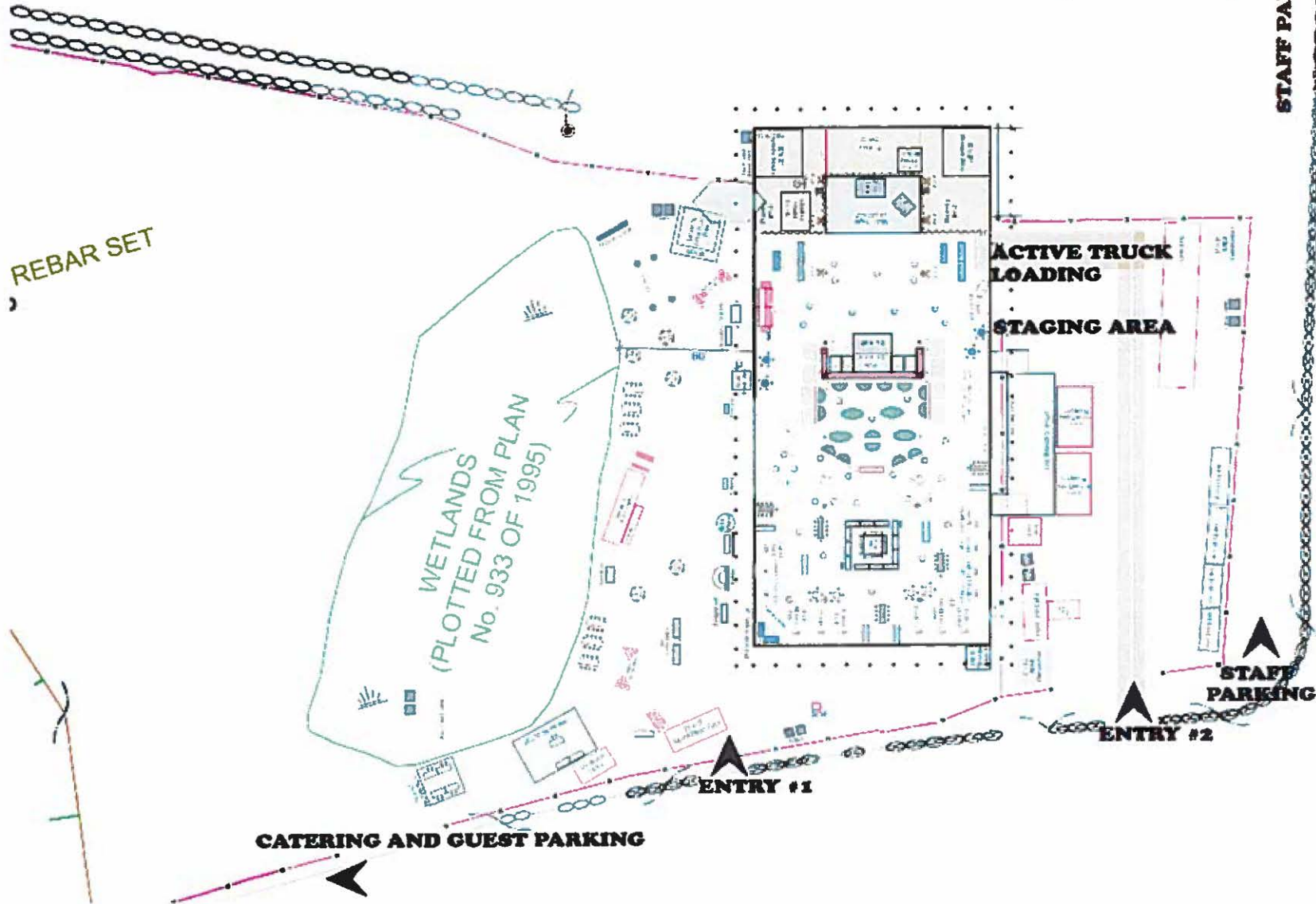
Event Timing: 4:00PM-9:30PM

Location: 48 Lincoln Rd. Wayland, MA





# SNAP SHOT OF Arrival Information (2014)





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

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, June 13, 2016**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**CONSENT CALENDAR**

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Application to Sell Wine at the Wayland Summer Farmers' Market at Russell's Garden Center, 397 Boston Post Road, for Mill River Winery, Rick Rousseau, Manager, on Saturdays, June 29, 2016, July 20, 2016, August 3, 2016, August 10, 2016, and September 28, 2016, from 12:00 p.m. to 5:00 p.m.
3. Vote the Question of Approving the Use of the Council on Aging Gift Account to Pay Costs for the Annual Council on Aging Summer Concert Series 2016
4. Vote the Question of Approving the Invoice from TEC, April 30, 2016, for the Period April 1-30, 2016, Invoice Number 9886: \$850.00

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 [www.mass.gov/agr](http://www.mass.gov/agr)



CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

MATTHEW A. BEATON  
Secretary

JOHN LEBEAUX  
Commissioner

May 31, 2016

Mill River Winery  
Rick Rousseau  
41 Railroad Ave.  
Rowley, MA 01969

Re: Certification of Agricultural Event Pursuant to M.G.L. c. 138, Section 15F

Dear Mr. Rousseau:

Please be advised that your application for certification of Wayland Summer Farmers' Market, on Saturdays from June 29<sup>th</sup> to October 12<sup>th</sup>, from 12:00 pm to 5:00 pm as an agricultural event pursuant to M.G.L. c. 138, Section 15F has been approved.

Please remember that, upon certification of an agricultural event by MDAR, the farm-winery must submit a copy of the approved application to the local licensing authority along with the application for obtaining a special license from the city or town in which the event will be held. Upon issuance of a special license, the winery should confirm that a copy of the special license was sent by the local licensing authority to the Alcoholic Beverages Control Commission (ABCC) at least seven (7) days prior to the event.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lebeaux", written in a cursive style.

John Lebeaux, Commissioner

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Application for Certification of an Agricultural Event for the Sale of Wine  
Pursuant to M.G.L. c. 138, Section 15F

\*To be completed by the licensed farm-winery and returned to:

By Mail: Agricultural Event Certification Program, 251 Causeway Street, Suite 500, Boston, MA 02114

By Email: [Rebecca.Davidson@State.ma.us](mailto:Rebecca.Davidson@State.ma.us) with the subject line "Agricultural Event Certification"

(A separate application must be completed for each event)

In order for your application to be considered complete, you must include the following documents. Incomplete applications will not be accepted.

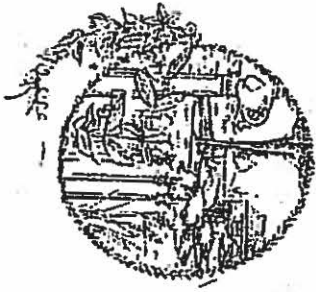
- Signed and dated application with farm-winery license number
- List of vendors with brief descriptions of products for current year/season
- Event operational guidelines or rules for current year/season
- Resume of event manager or description of experience
- Plan depicting the premises and specific location where the license will be exercised. See Template 1.
- Approval letter from event management including the name of the licensed farm-winery and the day(s), month and year of event. See Template 2.

1. Applicant Information					
Name of Licensed Farm-Winery	Mill River Winery				
Farm-Winery License Number	FW-69	State of Issue	MA		
Contact Person	Rick Rousseau				
Address	41 Railroad Ave				
City	Rowley	State	MA	Zip	01969
Phone Number	978-995-2405	Email	Rick@MillRiverWinery.com		
Correspondence preference	<input type="checkbox"/> Regular Mail		<input checked="" type="checkbox"/> Email		
Note: Approval/denial letters will be sent regular mail.					
Do you intend to sell, sample, or both? Check all that apply.					
<input checked="" type="checkbox"/> Sell		<input checked="" type="checkbox"/> Sample			

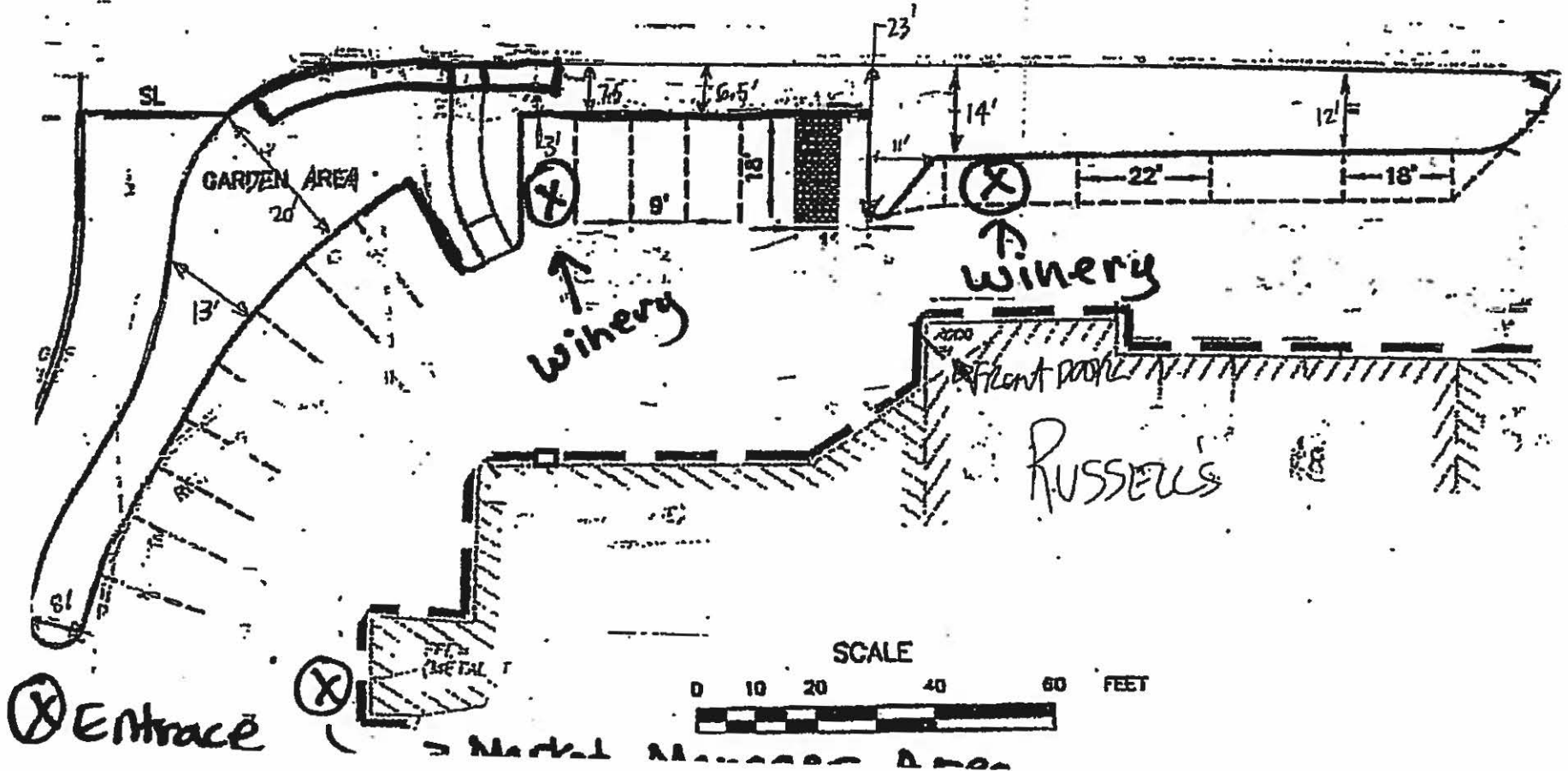
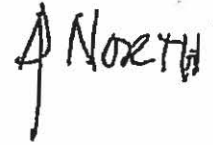
2. Event Information					
Name of Agricultural Event	Wayland Summer Farmers' Market				
Type of Event	<input type="checkbox"/> Agricultural Fair (as defined by MDAR policy)	<input checked="" type="checkbox"/> Farmers Market (as defined by MDAR policy)	<input type="checkbox"/> Other Agricultural Event		
if you selected "Other Agricultural Event", how does this event promote local agriculture?					
Event Address	397 Boston Post Road				
City	Wayland	State	MA	Zip	01778
Event Phone Number	508-358-2283 ext.336	Event Website	<a href="http://www.russellsgardencenter.com/summerfarmersmarket.html">www.russellsgardencenter.com/summerfarmersmarket.html</a>		

3. Event Description			
What are the date(s) and time(s) of the event?			
Start date	6 / 29 / 16	End date	10 / 12 / 16 Time 12 to 5 PM
	Month Day Year		Month Day Year
If this is a weekly event, on what day of the week does the event occur?			
If the event is an agricultural fair, does the event include competitive agriculture?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Is the event sponsored or run by an agricultural/horticultural society, grange, agricultural commission or association whose primary purpose is the promotion of agriculture and its allied industries?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	If yes, identify:		
4. Event Management			
Name of Event Manager	Peg Mallett		
Email Address	mallettpeg@gmail.com	Phone Number	508-358-2283 ext.336
Is this person the on-site manager?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If no, identify on-site manager (include contact information):			
If there are multiple managers, list them and include contact information:			
<p>Attach on-site manager(s) resume(s) <u>or</u> list any credentials or training of the on-site manager(s):  <i>Relevant credentials include, but are not limited to, experience as a market manager, attendance at any market manager workshops, and experience with other agricultural events.</i></p> <p>Peg Mallett has been the market manager since the first year of the Wayland Winter Farmers' Market (2005) and the first year of the Wayland Winter Farmers' Market (2010).</p>			

397 BOSTON POST ROAD • ROUTE 20  
WATLAND, MASSACHUSETTS, 01778  
508-358-2283 • FAX 508-358-2473  
WWW.RUSSELLSGARDENCENTER.COM



EST. 1878  
**Russell's**  
GARDEN CENTER



6/13

**DATE: JUNE 13, 2016**

**TO: BOARD OF SELECTMEN**

**FROM: Julie Secord, Director  
Wayland Council On Aging**

**RE: COA GIFT FUND ACCOUNT  
Org: 24546200**

**REQUESTED ACTION:**

**Vote to Approve use of the COA Gift account to pay costs for the annual COA Summer Concert Series 2016.**

*The band concerts are on 5 consecutive Thursday nights starting June 16, 2016. Concerts are outdoors in the courtyard at the Town Building. Rain location is the Large Hearing Room.*

COA's annual summer outdoor town concert series is fully funded by generous donations from the community. Previously the summer concert sponsorship money had been deposited in the COA's revolving account. Contributions for the concert series are now being redirected to the Gift Account and all payments for the bands and related expenses (banners, transportation, etc.) will be processed out of that account.

The current COA Gift Account balance is \$24,317.80  
The costs of the concert series will be no greater than \$3,500.00

Copy: COA Chair, Finance Director

DATE: JUNE 13, 2016  
TO: NAN BALMER  
FROM: ELIZABETH DOUCETTE, FINANCIAL RESEARCH / ANALYST  
RE: GLEZEN LANE NEIGHBORHOOD TRAFFIC ASSESSMENT INVOICE - APRIL 2016

**ACTION REQUESTED:**

Payment approval

**ACCOUNT BALANCE AND PAYMENT RECOMMENDATION:**

The Town received the attached invoice for payment to TEC for April 2016 Glezen Lane Neighborhood Task 3 – Meetings/Other Support services. This expense of \$850.00 was incurred for the review of affidavit in Glezen Lane court case.

Use of Gift Account funds requires Board of Selectmen approval under MGL Chapter 44, Section 53A. An action to approve the expenditure is included on the Consent Agenda.

Planning Gift Account NA, an account for neighborhood roads traffic improvements, is recommended to fund this expense.

\$ 14,291.93	Account Balance
6,750.00	Projected to complete design and bid documents ( <i>previously approved</i> )
1,400.00	Traffic data collection ( <i>previously approved</i> )
<u>850.00</u>	April Invoice
\$ 5,291.93	New Account Balance



✓ #5041



65 Glenn Street  
Lawrence, MA 01843

# Invoice

10-25805  
GUARANTY DEP.  
PLANNING

Approved by:  
R. Lawing

Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778  
Attn: Nan Blamer, Town Administrator

Date 4/30/2016

Invoice # 9886

Project 0558.05 Glezen Lane Neighborhood

April 1, 2016 to April 30, 2016	% Complete	Fee	Previous	Current
<b>Glezen Lane Neighborhood Traffic Assessment</b>				
Task 1 - Initial Data Collection	100.00%	2,800.00	2,800.00	0.00
Task 2- Neighborhood Traffic Assessment	100.00%	9,800.00	9,800.00	0.00
Task 2A- Amend Data Request	100.00%	1,500.00	1,500.00	0.00
Task 3- Meetings/Other Support Technical Professional 15 5 hours @\$170/hour Total Task 3				850.00 850.00
Task 4- Existing Conditions Survey & Base Plan Prep	100.00%	4,500.00	4,500.00	0.00
Task 5- Design & Permitting	75.00%	9,000.00	6,750.00	0.00
Task 6- Construction Bidding Documents	0.00%	3,500.00		0.00
Services: -Affidavit review for legal support				

for  
Review of  
Affidavit in  
Glezen Lane  
Court case

**Total**

\$850.00



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN  
LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**REVISED LIST OF PUBLIC DOCUMENTS PROVIDED  
TO THE BOARD OF SELECTMEN FROM JUNE 3, 2016,  
THROUGH AND INCLUDING JUNE 9, 2016,  
OTHERWISE NOT LISTED AND INCLUDED IN THE  
CORRESPONDENCE PACKET FOR JUNE 13, 2016**

**Items Distributed To the Board of Selectmen – June 3-9, 2016**

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the  
Meeting of June 6, 2016**

1. State House Bill No. 3940, An Act Authorizing the Town of Wayland to Increase the Annual Spending Limit for its Recreation Department Revolving Fund
2. Letter of 6/2/16 from Pine Brook Neighborhood Association to Board of Selectmen re: Proposed Development of Mahoney's Garden Center on Route 20
3. Image of Plaque to Honor Stephen "Stubby" Kadlik at the Public Works Facility
4. RiverFest Brochure, Celebration on June 18-19, 2016
5. Map of Stonebridge Road

**Items Included as Part of Agenda Packet for Discussion During the June 13, 2016  
Board of Selectmen's Meeting**

1. Memorandum of 6/9/16 to Board of Selectmen re: Appointment of Patrick Rowe to Permanent Municipal Building Committee and Doug Levine to Economic Development Committee, with Attached Résumés
2. Fred Knight, Chair, Wastewater Management District Commission, Topics for Board of Selectmen, June 13, 2016
3. Memorandum of 6/10/16 to Board of Selectmen re: Annual Reappointments List
4. Memorandum of 6/10/16 from Elizabeth Doucette, Financial Research/Analyst, to Board of Selectmen, re: Status of Town Center Project Development Agreement Consultant Fee Payment Fee Reconciliation
5. Draft Minutes of June 6, 2016
6. Report of the Town Administrator for the Week Ending June 10, 2016



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

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**BOARD OF SELECTMEN**  
**Monday, June 13, 2016**  
**Wayland Town Building**  
**Selectmen's Meeting Room**

### CORRESPONDENCE

#### Selectmen

1. Letter of 6/2/16 from Pine Brook Neighborhood Association to Board of Selectmen re: Proposed Development of Mahoney's Garden Center on Route 20
2. Letter of 6/6/16 from Jennifer Burney, Director of Planning and Land Use, Town of Lincoln, to Geoffrey Larsen, Building Commissioner, re: Carroll School, with May 19, 2016, Wayland Land Use Committee Powerpoint Presentation and Letter of 5/2/16 from Town Counsel Mark Lanza to Nan Balmer, Town Administrator re: Carroll School
3. Letter of 6/6/16 from Board of Selectmen to Anthony J. DeLuca, Manager, Twenty Wayland LLC re: Town Center Town Green
4. Letter of 6/6/16 from Michael Lindeman, DPW Park & Highway Superintendent, to Board of Selectmen, re: Tree at 3 Melody Lane
5. Letter of 6/8/16 from McDermott Quilty & Miller LLP, to Board of Selectmen, to Board of Selectmen re: Temporary Closure of Licensed Premises at Coach Grill
6. Email of 6/8/16 from Anne Harris, Energy Initiatives Advisory Committee, to Board of Selectmen, re: Green Communities Grant Work Completed and Closed Out
7. Letter of 6/9/16 from Nan Balmer, Town Administrator to Mr. and Ms. Michael and Karen Lowery re: Town-owned Land at 4 and 8 Sycamore Road
8. Director of Public Health Report, June 1, 2016

#### Minutes

9. Community Preservation Committee, July 22, 2015, August 26, 2015, September 24, 2015, October 21, 2015, November 18, 2015, December 16, 2015, January 13, 2016, March 30, 2016
10. Economic Development Committee, May 5, 2016
11. Municipal Affordable Housing Trust Fund Board, May 4, 2016

#### State

12. Letter of 6/2/16 from the Office of the Attorney General to George Harris, Esq., re: Open Meeting Law Complaint of March 10, 2016
13. Letter of 6/6/16 from the Office of the Attorney General to George Harris, Esq., re: Open Meeting Law Complaint of April 8, 2016

Pine Brook Neighborhood Association  
Wayland, MA

Board of Selectmen  
Town of Wayland, MA 01778

June 2, 2016

Re: Proposed Development of Mahoney's Garden Center on Route 20.

To the Board of Selectmen:

A former Wayland resident, Steven Zieff, has met with some Pine Brook Neighborhood Association members to discuss his proposed 60 unit development of the Mahoney's site. His preference is to work with the Town in a "friendly 40B" option or to convince the Town to create a new overlay district that would allow increased density housing on that site. The good news supporting some version of his concept is that 45 or so units could help us achieve the 10% affordable housing threshold. This, combined with the River's Edge development of 190 units could prevent the constant threat of commercial development under the guise of 40B. The bad news is that the buildable area on the Mahoney's lot is so small that Zieff proposes to build three story and five story apartment buildings over two stories of parking (partially buried under ground). The following letter defines the sentiment of neighbors.

- 1) As everyone in town knows all too well, traffic on Route 20 is a nightmare during both the morning commute and the 3 p.m. – 6 p.m. commuting hours. The thought of having a minimum of 60 more cars entering and exiting from this site daily would only further compound an already troublesome highway. We doubt the developer's argument that 50% of the residents would be in Florida 6 months of the year. He has no facts to back that up when the residents are as yet unknown.
- 2) The developer suggests that this would not be a residential cluster that would attract families with school-aged children as there are no plans for play areas within his development. Yet he plans to maintain an existing bridge and existing trails through the conservation area on the property. Many families wanting to move to Wayland to access the schools may well be happy to rent to obtain school access were they unable to afford to purchase property.
- 3) There are wetland issues for the Conservation Commission to address if the integrity of Pine Brook conservation land and river setback area is to be maintained.
- 4) The developer seems to think that a three-story building near the front with five stories above grade in back plus two levels of parking garage below is an acceptable residential profile for Wayland, approximately a 60-70 foot high building in an area zoned for 35 foot high buildings. The impact on directly abutting properties with single family houses would be enormously detrimental from a sheer scale factor, let alone light and shade impacts.
- 5) The Board of Health needs to look deeply into what was being proposed for a septic system to accommodate 89 bedrooms. How such a system could be placed without impacting the wetlands would seem to be an unlikely challenge.

- 6) We can appreciate the fact that town boards are always on the lookout for tax-generating development, but at what price? The town just voted unanimously at Town Meeting to preserve Mainstone Farm from development. That vote made a major statement about how town residents feel about large housing developments taking over every available space of land.
- 7) The 60 unit rental complex proposed for the Mahoney's site, does not fit into the Wayland's "semi-rural" character, the stated goal in the town's Master Plan. It would permanently alter the character of Wayland's main entrance from Weston in particular and the entire neighborhood along the eastern end of Route 20 in general.
- 8) We support the initiative to provide housing for low/moderate income residents in Wayland and we support efforts to increase diversity in our community. But we ask this be done thoughtfully with the goal of retaining the physical character of our community. People want to live in Wayland because we have held the line in protecting the semi-rural character of our town. We owe the same to those who will come after us in the future.

Here is how Wayland needs to proceed:

Under the Commonwealth, the state administers the Housing Production Program, that enables cities and towns to adopt an affordable housing plan that demonstrates production of at least 0.50% over one year, or 1.0% over two years, of its year-round housing stock eligible for inclusion in the Subsidized Housing Inventory (SHI). Wayland will have to produce at least 25 affordable units annually to meet these production goals through 2020. However, it has 81 units built that can be added to the SHI and 362 in production that can be added to the SHI by 2017 to reach 10%. Therefore, it will only need to produce an additional 5 units per year to remain at 10% when the 2020 census is completed. If the Commonwealth certifies that Wayland has complied with its annual production goals, the Town will be able, through its Zoning Board of Appeals, to deny what it considers to be inappropriate comprehensive permit applications.

Therefore, we strongly urge the Town to adopt a Housing Production Plan and get it approved by DHCD as soon as possible. Even by state standards, this small footprint at the Mahoney's site should only support 15-20 units of housing, a size that is on par with the scale of Post Road Village, the 40B development next to the nearby clock shop.

Sincerely,

Pine Brook Neighborhood Association

Marji Ford  
William Sterling  
Helen Riess  
Marjorie McCammon  
Debbie Tofias  
Bob Farrington

Kim Winter  
Gretchen Sterling  
Norman Nishioka  
Peggy Norwood  
Joy Viola  
Molly Faulkner

2



TOWN OF LINCOLN  
MASSACHUSETTS  
16 LINCOLN ROAD, LINCOLN, MA 01773  
(781) 259-2684

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June 6, 2016

Geoffrey S. Larsen  
Building Commissioner  
Town of Wayland

Re: Carroll School

Dear Mr. Larsen:

I have been communicating with the Wayland Planning Director, Sarkis Sarkisian and understand that the Wayland Land Use Committee recently met with Carroll School on May 19, 2016 to review the permitting process.

According to a letter authored by Wayland's Town Counsel, per Wayland's Bylaw Section 198-606.3, the Building Commissioner shall apply reasonable regulations concerning dimensions, open space, and parking when reviewing and acting on a site plan application for the principal use of land or a building or structure for educational purposes which is exempt from regulation under Massachusetts General Laws Chapter 40A, Section.

The Board of Selectmen, Traffic Commission and DPW has the authority to review traffic.

Please note that due to the proximity of Carroll School to Lincoln, the Town of Lincoln respectively requests that it is allowed to provide comments in the review of the Carroll school application as it relates to traffic, parking, lighting and hours of use of the school and fields.

We understand that no application has been filed to date. We kindly request that the Town of Lincoln is provided with a copy of the application when one is filed.

Sincerely,

*Jennifer S. Burney*  
Jennifer Burney  
Director of Planning and Land Use

Cc: Lincoln: Planning Board, Board of Selectmen, Town Administrator, Conservation Commission, Parks and Recreation Director.  
Wayland: Board of Selectmen, Town Administrator, Planning Board, Planning Director  
Carroll School



Carroll School

# Wayland Land Use Committee Meeting

May 19, 2016

# Introductions

Carroll School:

Steve Wilkins, Head of School

Judi Seldin, Assistant Head of School

Steve Buchbinder, Schlesinger and Buchbinder (legal)

Keri DiLeo, CSL Consulting (project manager)

Sean Malone, Oak Consulting (civil engineering)

Ken Cram, Bayside Engineering (traffic engineering)



# Agenda

1. Overview of Carroll School
2. Acquisition of Site
3. Preliminary Plans
4. Town Guidance

# Overview of Carroll School

**Mission:** Carroll School empowers children with language-based learning disabilities, such as dyslexia, to become academically skilled students who are strong self-advocates and confident lifelong learners prepared to enter other academic settings.

**History:** Carroll was founded in 1967 by a Mass General Hospital Neurologist and a group of parents. The focus has always been on bright, well-behaved students with dyslexia. Carroll moved to Baker Bridge Road in Lincoln in 1971 and opened a lower school campus on Trapelo Road in Waltham in 2011.

# Carroll School At-a-Glance

**Lower School-** 160 children, 58 teachers and tutors- Waltham Campus

**Middle School-** 219 children, 84 teachers and tutors- Lincoln Campus

**C8/C9 Program-** 40 children, 9 teachers and tutors- Lincoln Campus

**Summer @ Carroll-** Currently 200 children on two campuses in morning academics and afternoon camp activities, 100 adult educators and camp counselors

**Research Collaborations-** Carroll engages with top researchers in the world (especially MIT) to develop increasingly effective approaches to helping children with dyslexia world-wide

# Process Leading to Acquisition of 45 Waltham Road

1. **Trustees' Retreat**- November 2015- strategic goals- Endowment and Facilities Improvements. Subcommittee appointed to solve athletic fields challenge
2. **Lincoln Campus**- Rocky hill of a campus, beautiful but unsuited for adding athletic fields
3. **Contiguous Properties**- No solution available on Baker Bridge Road for Carroll
4. **45 Waltham Road**- Carroll became aware of this opportunity in Mid-January. Moved quickly. P&S signed February 12. Sent letter to abutters. Closed May 2
5. **Discussions with Neighbors**- Met with several individually and with 35+ on May 4th. Carroll will continue to listen to neighbors as questions and concerns arise.
6. **Town of Wayland**- This Land Use Committee is introduction to town; Board of Selectmen on June 13.

# Wayland Progress to Date

Assembling experienced team of experts:

- Project Management - CSL Consulting
- Architectural - Dewing Schmid Kearns
- Civil Engineering - Oak Consulting
- Legal - Schlesinger and Buchbinder
- Traffic Engineer - Bayside Engineering
- Fire Suppression - Allied Engineering

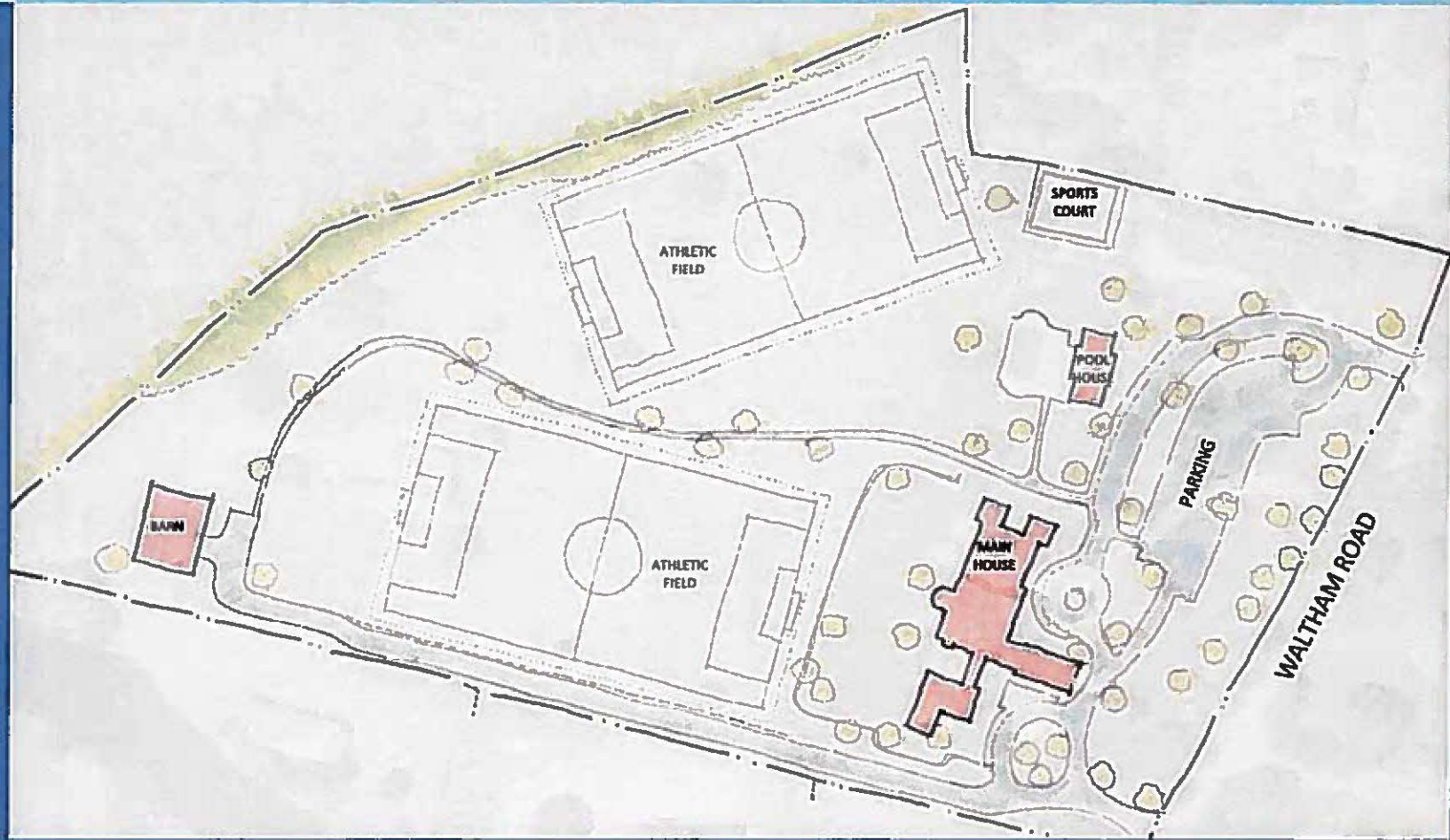
Site Plan Development Underway

- Survey complete; understand setback requirements
- Moving from conceptual to schematic
- Identifying key issues: usage, field layout, traffic, circulation, parking, code compliance (life safety, ADA)
- Seeking guidance/direction from Town of Wayland for permitting

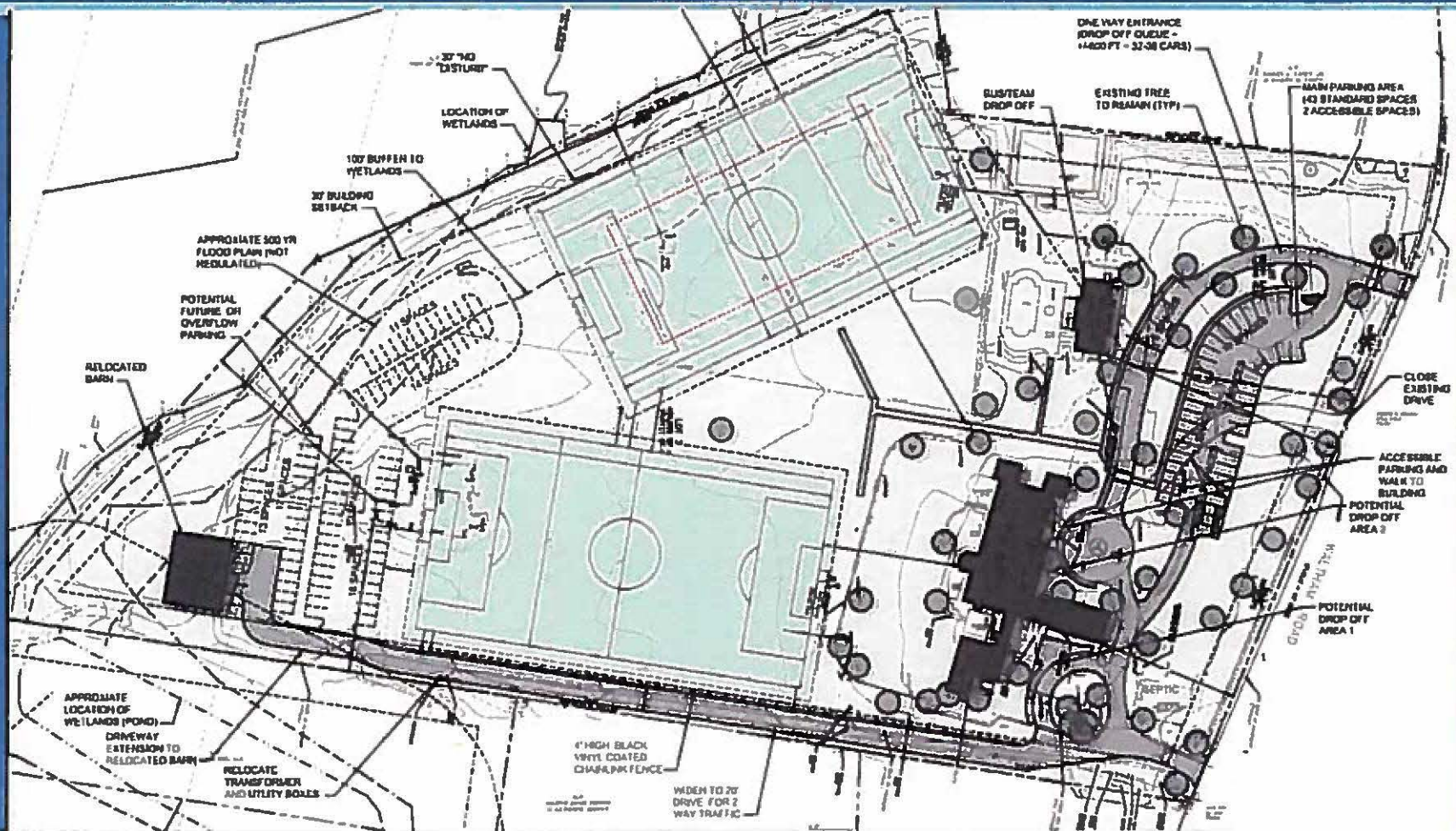
# Preliminary Plans

1. Move C8/C9 to Wayland for the Fall of 2017
  - a. Will be in the range of 40-60 students with 8-12 faculty members
2. Add 2 soccer/lacrosse fields for Carroll School use for the Fall of 2017
  - a. Middle School Athletics
  - b. Practices Monday through Thursday 3:30-4:45
  - c. Games in the same time frame (some run later)
  - d. Carroll prefers grass fields, but no final decision has been made
3. Move Non-Academic Administration to Wayland
  - a. 7 administrators (hoping to move in June)
  - b. Ultimately 20-25 administrators in Wayland
  - c. Some small meetings and fundraiser events this spring

# Conceptual Site Plan



# Preliminary Site Plan







TOWN OF WAYLAND  
MASSACHUSETTS  
01778

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

May 2, 2016

VIA ELECTRONIC MAIL  
AND BY HAND

Nan Balmer, Town Administrator  
Wayland Town Building  
41 Cochituate Road  
Wayland, MA 01778

RE: Carroll School, 39 & 45 Waltham Road, Wayland, Massachusetts

Dear Nan:

You have sought my advice concerning the Town's authority to (1) regulate through zoning an educational facility that The Carroll School (the "School") may construct and operate at the above-referenced property; (2) regulate traffic generated by the School; and (3) enter into a payment in lieu of taxes agreement with the School. Your request arises in the context of the School's plan to acquire the property in near future and use it for educational purposes, including athletic fields for the School.

Zoning

In Massachusetts, a municipality's ability to regulate the use of land and buildings for educational purposes by nonprofit educational corporations is limited. Massachusetts General Laws Chapter 40A, Section 3, Paragraph 2 provides in pertinent part that: "[n]o zoning ordinance or by-law shall...prohibit, regulate or restrict the use of land or structures...for educational purposes on land owned or leased by...a nonprofit educational corporation; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area,

setbacks, open space, parking and building coverage requirements. Under the Town's Zoning Bylaw, educational uses are allowed in all zoning districts, as matter of right, subject to limited site plan review and approval by the Building Commissioner. The purpose of the site plan review and approval process is the reasonably regulate the use, but may not be used to prohibit it. Under Section 198-606.3 of the Zoning Bylaw, when reviewing and acting on a site plan application for the principal use of land or a building or structure for educational purposes which is exempt from regulation under Massachusetts General Laws Chapter 40A, Section 3, "the Building Commissioner shall apply reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements as set forth in this Zoning Bylaw, except to the extent that the applicant shows that the regulation is unreasonable and unrelated to a legitimate municipal concern and will substantially detract or diminish the applicant's ability to conduct the exempt use." Whether a particular zoning regulation substantially detracts from or effectively prohibits an exempt educational use is determined on case by case basis. Since the School has not presented any specific plans to the Town, I cannot comment on the applicability or effect of the Town's Zoning Bylaw on the School's planned facilities.

#### Traffic Regulation

The limited exemption from regulation through zoning available to educational uses does not limit the Board of Selectmen's authority as the Town's Traffic Commission or the Board of Public Works' authority relative to traffic calming measures (i.e., speed bumps, speed humps, speed tables and speed cushions). The Selectmen may adopt reasonable regulations and orders concerning traffic on Town ways generated by the School. If traffic calming measures on Town ways are appropriate for such traffic, the Board of Public Works may install them.

#### Payment in Lieu of Taxes

Nonprofit educational organizations which are organized for charitable purposes and actually operate as a public charity are exempt from real and personal property taxes under Massachusetts General Laws Chapter 59, Section 5, Clause Third (c). If the School qualifies for this exemption, its personal and real

property at the above-referenced address will not be taxable. If the School's property is not taxable, the Town, acting through the Board of Selectmen, on the advice of the Board of Assessors, may enter into a payment in lieu of taxes agreement ("PILOT") with the School. The amount of the payments is negotiable. The legal basis for the Town's authority to enter into a PILOT with the School is Massachusetts General Law Chapter 40, Section 4.

The exemptions available to the School discussed above relate only to zoning and property taxes. The Wetlands Protection Act, the Massachusetts Department of Environmental Protection's Wetlands Regulations and the Town's Wetlands and Water Resources Protection Bylaw apply to any work done in protected resources areas. Likewise, Title V and the Board of Health's Septic System Regulations apply to any subsurface wastewater disposal system constructed on the site.

Please contact me if additional clarification of these matters is needed.

Thank you very much.

Very truly yours

*Mark J. Lanza*

Mark J. Lanza  
Town Counsel

MJL/ms

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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

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

June 6, 2016

Anthony J. DeLuca, Manager  
Twenty Wayland, LLC  
10 Memorial Boulevard – Suite 901  
Providence RI 02903

RE: Town Center Town Green, Wayland, Massachusetts

Dear Mr. DeLuca: *Tanfr*

As you know, an issue has arisen about access to and use of the Town Center Town Green. The issue has arisen in the context of requests from organizations, including Town agencies, to conduct events on the green.

Condition IV, B, 1 g.) (iv) of the Master Special Permit for the Town Center Project provides that the "Public Green" shall be open to public use, subject to reasonable rules and requirements that your company may establish in accordance with a plan for the operation and maintenance of the Public Green. Any such plan must be prepared in consultation with the Town's Board of Public Works, as the successor to the Park and Recreation Commission, relative to Town parks. To date, no such plan has been presented or adopted.

Public use of the Public Green includes use by Town agencies.

Please acknowledge and confirm that the Public Green will be open to use by Town agencies for all lawful purposes.

Thank you for your attention to this matter.

Sincerely,

*Cherry Karlson*  
Cherry Karlson  
Chair



## WAYLAND DEPARTMENT OF PUBLIC WORKS

TOWN OF WAYLAND

66 River Road, Wayland, Massachusetts 01778-2697

4

(508) 358-3672 • FAX (508) 358-4082

Stephen Kadlik

DPW Director

June 6, 2016

To whom it may concern:

Seo Grace of 3 Melody Lane contacted the DPW Office on August 26, 2015 regarding a tree located behind her mailbox. It was inspected by Senior Foreman Joe Doucette on August 27. He spoke with the homeowner and explained to her that there was nothing wrong with the tree and it did not need to be removed.

On May 31, 2016, a letter was received by the Board of Selectmen referencing a different tree located at 3 Melody Lane. Although I am unsure of what prompted her current letter sent directly to your office, upon its receipt I inspected the tree and concur that it is in a severe state of decline and, in my opinion, should be removed. I have tagged the tree for removal and it will be reviewed at the next tree hearing, date to be determined.

Sincerely,

Michael Lindeman

DPW Park & Highway Superintendent

RECEIVED

JUN - 6 2016

Board of Selectmen  
Town of Wayland

5

McDERMOTT  
QUILTY &  
MILLER LLP

28 STATE STREET, SUITE 802  
BOSTON, MA 02109

30 ROWES WHARF, SUITE 600  
BOSTON, MA 02110

June 8, 2016

**VIA ELECTRONIC CORRESPONDENCE (mdinapoli@wayland.ma.us)**

Ms. Mary Ann DiNapoli  
Executive Assistant  
Office of the Board of Selectmen for the Town of Wayland  
41 Cochituate Road  
Wayland, MA 01778

**RE: Temporary Closure of Licensed Premises  
BBRG TR, LLC d/b/a Coach Grill  
55 Boston Post Road, Wayland, MA 01778**


Dear Ms. DiNapoli:

As you are aware, our office represents BBRG TR, LLC d/b/a Coach Grill (the "Licensee") regarding the operation located at 55 Boston Post Road, Wayland, MA 01778 (the "Premises"). Pursuant to the correspondence from our office dated May 6, 2016, the Premises is temporarily closed to allow the Licensee to repair the significant damage caused by a fire at the Premises on April 16, 2016.

The Licensee is presently conducting the necessary construction to repair the damage caused by the fire. Given the extensive damage to the Premises the construction has taken longer than initially anticipated. The Licensee expects to complete construction and reopen the Premises on or about June 24, 2016. Should this date change for any reason, our office will notify the Board of Selectmen.

The Licensee understands its obligation to notify the Board of Selectmen of any closure of the Premises. As such, we respectfully submit this correspondence as an update regarding the status of the operation at the Premises.

As always, thank you for your time and consideration. Please do not hesitate to contact me with any questions or requests for additional information.

Best regards,  
  
Karen D. Simão, Esq.

KDS/ljs

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Correspondence

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**From:** Anne Harris [<mailto:arharris29@yahoo.com>]  
**Sent:** Wednesday, June 08, 2016 11:35 AM  
**To:** [selectmen@wayland.ma.us](mailto:selectmen@wayland.ma.us); Balmer, Nan  
**Cc:** Keefe, Ben; Tom Sciacca; Harvey Michaels; [billhuss53@gmail.com](mailto:billhuss53@gmail.com); ELLEN R TOHN; John Harper; Mike Staiti; Corinne Lenk  
**Subject:** Green Communities grant work completed and closed out

Hi, Mary, Cherry, Lea, Joe, Louis, and Nan,

At our last Energy Committee meeting, Ben Keefe reported to us that he had submitted the final report for the Competitive Green Communities grant and all the grant reimbursements had been received. As you may remember, that grant was used to pay for measures from the Energy Efficiency and Capital Improvement project completed by Ameresco (the ESCO project) and totaled \$250,000, the maximum granted to any town. As I'm sure you can imagine, the grant reporting is detailed and exhaustive, and Ben went to great lengths to insure the proper invoices and reports were sent to the DOER so that we could receive all the funds promised. Many congratulations and thanks to Ben for carrying out this important aspect of the project.

Of course, the grant money is just one part of the whole; a great many hours went into insuring the construction moved along smoothly with Ameresco, and we have Ben and John Moynihan to thank for that as well.

We truly appreciate the supportive environment here in Wayland for energy efficiency and renewable energy projects and recognize our best ideas have no chance of action without the support and hard work of the municipal staff.

On behalf of the Energy Committee  
Anne

Anne Harris  
[arharris29@yahoo.com](mailto:arharris29@yahoo.com)  
(508) 358-5506  
cell: (508) 280-0249

(7)



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

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

June 9, 2016

Mr. and Ms. Michael and Karen Lowery  
120 Lakeshore Drive  
Wayland MA 01778

Dear Mr. and Ms. Lowery,

The Board of Selectmen reviewed your October 2, 2015 request to purchase town-owned land at 4 and 8 Sycamore Road. After consideration, the Board decided on June 6, 2016 not to sell the land at this time.

Thank you for your interest and patience as the departments and Selectmen reviewed the request.

Sincerely,

Nan Balmer  
Town Administrator

cc: Board of Selectmen  
Health Director  
Building Commissioner  
Conservation Administrator  
Procurement Officer





# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOS

8

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

RECEIVED

JUN - 6 2016

Board of Selectmen  
Town of Wayland

## Wayland Board of Health Director's Report June 1, 2016

Septic work and building approvals- construction is in full swing for spring season. Soil testing appointments have continued. We also continue to have numerous meetings with residents to provide guidance for potential home renovations/septic projects.

Land Use meeting-Office staff attended a meeting along with other town officials regarding the proposed "Carroll School" being located at 45 Waltham Road. They would like to use the existing septic system, we were not aware of this. I advised them to set up a meeting with office staff to review the project and existing septic system plans to determine next steps. As of today I have not heard from them.

Household Hazardous Waste Day – will be held on June 18<sup>th</sup> from 9 to 11am at the new DPW Garage located at 66 River Road. Preregistration is online and advertising is ongoing.

Mass Health Officer's Association and Conference Committee-I will be assisting with the organization to prepare for the Annual Educational Conference and again will be the track chair for the Title-5 track of the conference. This track provides training seminars and credits toward licenses for individuals throughout the state of Mass (Soil Evaluator, Title 5 Inspector, Registered Sanitarian, CHO).

PHN/Nurse Leader Ruth Mori-End of year activities with Community Health Nursing. We have an addition for our substitute nursing pool and will be conducting an interview with the Human Resource Director.

East Middlesex Mosquito Control Project will be holding their annual meeting next week to provide an update on mosquito activity, surveillance, and the current and future mosquito forecast. It is my turn to sit on the Executive Board this year.

Meetings with Assisted Living Facilities in town-I have attended 2 meetings so far that were organized by the Fire Chief, also attending; several Assisted Living Facilities in town (The Carriage House, Traditions, and Sunrise). Discussions took place regarding emergency plans and plans for drafting mutual aid agreements between these facilities.

Performance Review-the Town Administrator will be conducting performance reviews on all department heads and I have a meeting planned with her next week.

Town owned land-I attended a meeting with other town officials regarding parcels 4 & 8 on Sycamore Road. The Town Administrator and Financial Analyst are in the process of gathering information regarding the BoS's consideration of potential sale of these town owned parcels. I am preparing a formalized memo for the Town Administrator which will include our prior submitted information and some additional information regarding abutting properties.

Pools and Beach-All semi-public pools have been inspected and permitted for the season. We have also issued the permit for the Town Beach. We are still working with beach staff regarding an area that has some leaf accumulation and how that will get cleared up.


Tobacco Compliance checks were conducted by Detective Sergeant Berger of the Police Department on April 20, 2016. An underage individual was sent into each store with instructions to attempt to purchase tobacco products without showing identification. In each instance the individual was asked for identification and then turned away when they did not present any. All establishments passed the compliance check.

Retail Tobacco Compliance checks-Food Inspector Beth Grossman conducted a round of inspections for compliance with our retail regulations. We ordered some new signs for reposting. There were some establishments that had to pull some cigar product and were instructed to do so during the inspection.

Vacant homes, Housing and Nuisances, - we continue to work on numerous calls for various complaints and inspections and are in the process of investigation to determine next steps/letters; 2 nuisance situations we are working on. Water sampling for a suspect cesspool breakout, test results received and bacteria is within acceptable range. 36 Edgewood-We received a call from the owner of this property requesting a BoH hearing. This was looked into and we would need something in writing as per State Law. I drove by the property yesterday and it is actively being cleaned up by a contracted company. They have made a lot of progress. We expect to have verification on securing of the building soon.

Administrative Assistant Patti White is out on medical leave for the next 6 weeks or so. We have assistance to cover the office during her leave.

Respectfully,



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

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
July 22, 2015  
Approved August 26, 2015**

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

**Other Attendees:** Mary Antes, Brian Boggia, Colleen Sheehan

The meeting was called to order at 7:35 p.m.

**Public Comment:** None

**Minutes:** John Sullivan motioned for the minutes from the December 17, 2014 Community Preservation Committee (CPC) meeting be approved. Elisa Scola seconded the motion. The minutes were unanimously approved (8-0-0). Ira Montague motioned for the minutes from the June 17, 2015 CPC meeting be approved. Elisa Scola seconded the motion. The minutes were approved (7-0-1).

**Upcoming Projects:** The CPC discussed potential projects, as follows.

- **Cochituate Village Apartments:** Wayland Housing Authority is requesting an additional \$500k for a fire suppression system for the property. An engineering firm completed a study and estimates the work will be \$1.1M. 2014 Annual Town Meeting (ATM) approved \$500k. The Housing Authority may provide \$65k of federal funding for electrical components of the system. The Finance Committee (FinComm) had been asked to provide the additional \$500k. The CPC funds could come from the Historic Preservation or Uncommitted Fund. Community Housing Funds are reserved for the creation of new residential units. Susan Weinstein noted the Municipal Affordable Housing Trust Fund (WMAHTF) may be able to contribute some funds. She recommends the CPC continue to support the project, reach out to the MHTF to see what funds are available, and possibly request a joint meeting with the FinComm. Susan to follow up with the MHTF; Gretchen Schuler to reach out to the FinComm.
- **Archaeological Study at Potential Community Center Site:** Elisa Scola discussed the potential need for archaeological monitoring of areas within the potential Community Center Site that are undisturbed. While much of the site is disturbed, an archaeologist would monitor when the parking lot work was underway and undisturbed areas were reached. The Council on Aging/Community Center Advisory Committee (COA/CCAC) was encouraged to possibly roll the monitoring costs into the construction costs. 2014 ATM allocated \$150k – the funds may be able to come out of that money.
- **Rail Trail:** Colleen Sheehan, on behalf of the Wayland Planning Board and Rail Trail, reported that Larry Kiernan has been in communication with Eversource and the Massachusetts Department of Conservation and Recreation (DCR). DCR has requested the rail trail surface material be asphalt or a permeable hard surface, as it is the first segment of the trail and will set a precedent. 2014 ATM approved a packed stone dust surface, so this change would require revisiting Town Meeting. Eversource has agreed to lift tracks and ties, base preparation and permitting for a stone dust or paved path. The Planning Board and Rail Trail are going to commence public meetings and forums to update the Town on the status of the project. They would like a Fall TM CPC article that supports the change in surface material. Gretchen will draft an article and follow up with Colleen.
- **Church of the Holy Spirit:** No update.

- **Dudley Woods:** Additional funds may be required to undertake an archaeological survey. Anna will follow up on this issue.
- **Mainstone Farm:** The Hamlen Family is engaged and open to discussions regarding a conservation easement for development rights in perpetuity for approximately 200 acres. The last appraisal in 2011 estimated the development rights at \$10.6 million, which is anticipated to have increased. It was agreed that the Town needs an updated appraisal to commence any negotiations with the family. Susan Weinstein motioned for an updated appraisal be prepared by John Avery, not to exceed \$5,000. John Sullivan seconded the motion. The motion was unanimously approved (8-0-0).
- **Open Space Plan:** Gretchen reported that Town Administrator Nan Balmer noted that in order to apply for Self-Help Grants the town must have an updated Open Space and Recreation Plan. She has urged the Conservation Commission and Recreation Commission to apply for CPC funds at Fall TM to support this effort.

**Other Business:**

- **CPC Annual Dues:** The Community Preservation Coalition annual dues require payment. Susan Weinstein motioned for the Coalition invoice to be paid, not to exceed \$2,875. John Sullivan seconded the motion. The motion was unanimously approved (7-0-0).
- **Barlow Land, Route 126:** The land is on the market and the Conservation Commission may submit a CPC application (at a later date) to acquire the property.
- **Department of Public Works (DPW):** Woody Baston reports the DPW has excess dirt from the construction of its new building. Discussed that it may be used to level playing fields. Anna will raise the issue at the next Parks and Recreation Meeting.

**Next Meeting:** An August meeting will be scheduled for to prepare for Fall TM.

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
August 26, 2015**

**Approved October 21, 2015**

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

**Other Attendees:** Larry Kiernan, Jean Milburn, Bill Sterling

The meeting was called to order at 7:35 p.m.

**Public Comment:** None

**Minutes:** Susan Weinstein motioned for the minutes from the July 22, 2015 Community Preservation Committee (CPC) meeting be approved. John Sullivan seconded the motion. The minutes were approved with revisions (7-0-0).

**Financial Report:** Gretchen Schuler to meet with Brian Keveny, Finance Director to rectify the Community Preservation Act (CPA) funds. Parks and Recreation funds may have been inadvertently taken from the Open Space fund.

**Fall 2015 Special Town Meeting (STM) Articles:** The CPC discussed Fall 2015 STM projects, as follows.

- **Cochituate Village Apartments:** The preliminary request for additional funds for a fire suppression system has been withdrawn. The project may return as a capital article at 2016 Annual Town Meeting (ATM).
- **Rail Trail:** Larry Kiernan discussed the status of the Rail Trail surfacing project. The surface is now proposed to be asphalt or stabilized hard surface in place of stone dust. Eversource will fund permitting, removal of the existing tracks, and subsurface preparation. The Massachusetts Department of Conservation and Recreation (DCR) will maintain the surface. Eversource's goal is to complete work from the Weston Town line to Russell's Garden Center in 2015 and the bridge over the Sudbury River in 2016. The design at the Wayland Depot has not been resolved. Meetings are scheduled in the next few weeks with the Historic District Commission, Wayland Historical Commission (WHC), Depot, Abutters, Town, and DCR. Clarification is needed on who has authority to make decisions for the Depot parking lot. Susan Weinstein motioned to submit an article to Fall 2015 STM to clarify the surface change from what had been approved at 2015 ATM. John Sullivan seconded the motion. It was unanimously approved (7-0-0).
- **Open Space and Recreation Plan:** In order for the Town to apply for Self-Help Grants the Town must have an updated Open Space and Recreation Plan (OSRP). They are required to be updated every five years. Wayland's OSRP was last updated in 1995. John Sullivan motioned to submit an article to Fall 2015 STM for \$30,000 to update Wayland's OSRP. Susan Weinstein seconded the motion. It was unanimously approved (7-0-0).

**Other Business:**

- **Proposed Community Center Site Archaeological Survey:** Elisa Scola requested administrative funds for an archaeological survey of the proposed Community Center site at the new Town Center development. Susan Weinstein motioned to approve up to \$4,000 for the archaeological survey. John Sullivan seconded the motion. The motion was approved (7-0-1).

- **Mainstone Farm:** Gretchen provided an update on Mainstone Farm negotiations. The Conservation Commission has toured the site. John Avery has toured the site and met with the Hamlen family to assist in his preparation of an updated appraisal. Sudbury Valley Trustees is poised to assist with negotiating a conservation restriction. Susan Weinstein motioned to approval the submittal of a capital request (CIP) so that Mainstone Farm acquisition will be on Finance Committee's agenda for 2017-2021. Maureen Cavanaugh seconded the motion. It was unanimously approved (7-0-0).
- **Dudley Woods:** Elisa Scola reported that WHC is in negotiations with Doug Harris regarding the completion of a ceremonial landscape survey of the Dudley Woods project area. WHC may come to the CPC to request administrative funds for the survey at a future date.

**Next Meeting:** The next meeting will be held September 24, 2015.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
September 24, 2015**

**Approved October 2015**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Woody Baston, Maureen Cavanaugh, Anna Meliones, Ira Montague, Susan Weinstein (arrived at 7:25). These members represented a quorum of the Committee.

**Other Attendees:** John Avery (appraiser), Chris Bowler (appraiser), Christa Collins (Sudbury Valley Trustees [SVT], Land Protection Director) Sherre Greenbaum (Conservation Commission chairperson), Cherry Karlson (Board of Selectmen chairperson), Lisa Vernegaard (SVT Director).

The meeting was called to order at 6:45 p.m.

**Public Comment:** None

**Minutes:** None

Maureen Cavanaugh made the following motion to enter executive session. "I move that the Community Preservation Committee go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase or value of the real property known as Mainstone Farm."

The motion was seconded by Anna Meliones. A roll call vote followed: Baston, yes; Cavanaugh yes; Meliones, yes; Montague, yes; Schuler, yes.

**Other Attendees:** Gretchen stated that also invited to join the Executive Session was: John Avery (appraiser), Chris Bowler (appraiser), Christa Collins (Sudbury Valley Trustees [SVT], Land Protection Director) Sherre Greenbaum (Conservation Commission chairperson), Cherry Karlson (Board of Selectmen chairperson), Lisa Vernegaard (SVT Director). She also announced that the Community Preservation Committee (CPC) would return to Open Meeting in about one-half hour.

CPC adjourned to Executive Session at 6:50 PM

CPC returned to Open Meeting at 7:40 PM.

**Financial Report:** Discussed payment of John Avery's appraisal of Mainstone Farm. Susan Weinstein motioned for the invoice to be paid with \$750 from the Mainstone appraisal account and \$4,250 from administrative funds. Maureen Cavanaugh seconded the motion. The motion was approved unanimously (6-0-0).

**Mainstone Farm:** Discussed possible funding approaches for the Town to acquire a Conservation Restriction on Mainstone Farm. The Community Preservation Act (CPA) fund adds approximately \$666,000/year less 10% for each of the three required funds that receive allocations. Discussed following up with Town Counsel to find out if a Purchase and Sales agreement is needed to release the appraisal publically. It was agreed the Community Preservation Committee (CPC) will release the appraisal when it is prudent. Discussed next steps, which include getting a letter of commitment from the Hamlen Family, agreeing on a purchase price, going to the Finance Committee (FinCom), and working on drafting a Conservation Restriction. Sudbury Valley Trustees will take the lead on starting to draft the document.

**Fall 2015 Special Town Meeting (STM) Articles:** The CPC discussed Fall 2015 STM articles, as follows:

- **Rail Trail:** Discussed potential questions that could be raised by the public, including maintenance, surface material, phasing of the project. Gretchen Schuler reported that the Friends of the Rail Trail are applying for a Massachusetts Department of Conservation and Recreation grant toward construction of the trail.
- **Open Space and Recreation Plan:** The Finance Committee and Board of Selectman are in support of the project. No other issues were discussed.

**Annual Report:** Gretchen Schuler circulated a draft Annual Report for review. It was recommended that the report direct citizens to the Town website for additional information on the CPA and Committee. Susan Weinstein motioned for the Annual Report to be approved, as amended. Maureen Cavanaugh seconded the motion. The motion was approved unanimously (6-0-0).

**Other Business:**

- **174 Pelham Island Road:** Ira Montague discussed the Town potentially acquiring a Conservation Restriction on approximately half of a four-acre parcel at 174 Pelham Island Road. It was agreed that a recommendation of the Conservation Commission is required, as well as the owner providing a current appraisal of the property, prior to the CPC considering the request.

**Next Meeting:** The next meeting will be held on October 21, 2015.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Maureen A. Cavanaugh



**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
October 21, 2015**

**Approved November 18, 2015**

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

**Other Attendees:** Dennis Berry, Town Moderator

The meeting was called to order at 7:30 p.m.

**Public Comment:** Dennis Berry informed the Community Preservation Committee (CPC) of an upcoming Special Town Meeting (STM) forum, to be held on October 28, 2015 and encouraged CPC representation at the meeting to answer any questions regarding CPC articles.

**Executive Session:** Maureen Cavanaugh made the following motion to enter Executive Session. "I move that the Community Preservation Committee go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase or value of the real property known as Mainstone Farm."

The motion was seconded by Susan Weinstein. A roll call vote followed: Baston, yes; Cavanaugh yes; Meliones, yes; Montague, yes; Scola, yes; Sullivan, yes; Schuler, yes; Weinstein, yes.

CPC adjourned to Executive Session at 7:40 p.m.

CPC returned to Open Meeting at 8:10 p.m.

**Mainstone Farm:** Discussed possible funding approaches for the Town to acquire a Conservation Restriction (CR) on Mainstone Farm. Gretchen Schuler circulated a memorandum, dated October 19, 2015, detailing a conceptual proposal for utilizing Community Preservation Act (CPA) funds to purchase a CR. Approximately \$666,000/year less 10% for each of the three required funds that receive allocations is added to the CPA annually. One scenario would include having the Town borrow up to \$3,300,000, equaling about one-half against expected CPA revenue over 20 years, plus \$2,000,000 from the Open Space fund and \$2,200,000 from the Uncommitted Balance. This approach would leave CPA funds available for other projects. Discussed the development constraints, including the need for frontage and access to the retained Hamlen parcels at the top of the hill. The next step is for the CPC to go before the Finance Committee. Gretchen Schuler will request an Executive Session with the Finance Committee to share the appraisal information. Maureen Cavanaugh motioned to support the Town's acquisition of a CR on the property, in concept, as detailed in the October 19, 2015 memorandum. Susan Weinstein seconded the motion. The motion was approved unanimously (8-0-0).

**Fall 2015 Special Town Meeting Articles:** Gretchen Schuler noted the Moderator's STM Forum, scheduled for October 28, 2015 and the Selectmen's STM Forum, scheduled for November 2, 2015. CPC members are encouraged to attend. The CPC discussed Fall 2015 STM articles, as follows:

- **Rail Trail:** Discussed potential questions that could be raised by the public, including maintenance, surface material, phasing of the project.
- **Open Space and Recreation Plan:** The Finance Committee and Board of Selectman are in support of the project. No other issues were discussed.

**Minutes:** Susan Weinstein motioned for the minutes from the August 26, 2015 CPC meeting be approved. Woody Baston seconded the motion. The minutes were approved (7-0-1). Susan Weinstein motioned for the minutes from the September 24, 2015 CPC meeting be approved. Ira Montague seconded the motion. The minutes were approved with revisions (7-0-1).

**Other Business:**

- **North Cemetery Preservation Plan:** Elisa Scola reported that the North Cemetery Preservation Plan is complete. The report includes a plan for each stone, with three categories of recommended repair, as well as recommendations for cemetery maintenance. Ground penetrating radar (GPR) survey undertaken as part of the plan, may confirm the location of two of Wayland's Town Meeting houses.
- **Stone's Bridge:** Elisa Scola reports that there has been no progress in advancing repair of half of the bridge, as approved at 2015 Annual Town Meeting. Gretchen Schuler is preparing a National Register nomination for the bridge, which will allow the Town to apply for a Massachusetts Historical Commission grant.

**Next Meeting:** The next meeting will be held on November 18, 2015 at 7:00 p.m.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
November 18, 2015  
Approved December 16, 2015**

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

**Other Attendees:** None

The meeting was called to order at 7:00 p.m.

**Public Comment:** None

**Mainstone Farm:** Gretchen Schuler spoke with Finance Director Brian Keveny, who recommended the firm First Southwest to potentially assist with financial analysis of Mainstone Farm Conservation Restriction (CR) funding scenarios. The firm has done similar finance consulting for the Wellesley North 40 project which utilized Community Preservation Act (CPA) funds. A meeting was held earlier today with First Southwest; town representatives were Gretchen, Woody Baston, Cherry Karlson, Dave Watkins (by phone), and Brian Keveny. Potential funding strategies for the Mainstone Farm Conservation Restriction were discussed. One scenario would utilize a larger one-time sum of CPA funds plus half of its annual revenues. There will be different funding strategies for different land uses (e.g., open space vs. agricultural). One strategy would be to increase the CPA to 3%. FirstSouthwest will analyze different funding strategies and prepare a report. They will attend two meetings with the Community Preservation Committee (CPC) and Board of Selectmen. Woody Baston made a motion to allocate up to \$2,500 from CPA administrative funds to First Southwest for financial services related to the Mainstone Farm CR. Susan Weinstein seconded the motion. The motion was unanimously approved (7-0-0).

**2016 Annual Town Meeting:** Gretchen circulated the CPA application form to committee chairpersons and town departments; the form is posted on the CPC website. Potential 2016 ATM articles were discussed.

- **Wayland Municipal Housing Trust Fund:** There will be an article to request its annual allocation.
- **Fire Suppression:** The Housing Authority may use general town funds for the fire suppression project.
- **North Cemetery:** The Historical Commission plans to request \$60k to implement recommendations set forth in the recently completed North Cemetery preservation plan

**Minutes:** Ira Montague motioned for the minutes from the October 21, 2015 CPC meeting be approved. Woody Baston seconded the motion. The minutes were approved (7-0-0).

**Other Business:**

- **Wayland Public Library:** Funds to study the library expansion either through renovation of the existing building or construction of a new library were approved at the November Special Town Meeting. Looking ahead, CPA funds may be requested if the study advances a renovation of the current library.
- **CPA Status:** There is a \$3.5m balance in uncommitted funds and Wayland received its \$220k municipal match this past week.

**Next Meeting:** The next meeting will be held on December 16, 2015 at 7:30 p.m.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
December 16, 2015**

**Approved January 13, 2016**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Woody Baston, Maureen Cavanaugh, Ira Montague, Elisa Scola. These members represented a quorum of the Committee.

**Other Attendees:** None

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

**Public Comment:** None

**Mainstone Farm:** Ira Montague noted an ANR site plan was submitted to the Planning Board, creating two new lots at the top of the hill at Mainstone Farm. The parcels were not included as part of the Town's appraisal. As laid out, there could be up to nine lots on the largest lot using the Conservation Cluster Bylaw; however that has not been the intention of the family or the town. It is not likely that the Town would move forward on acquiring a Conservation Restriction (CR) without a restriction on the lot(s) that memorializes the intention of it being one building lot. John Avery has noted that the possibility of it being a conservation cluster would affect the appraisal, as would the required access road, which would increase to twenty feet wide.

**2016 Annual Town Meeting (ATM):** Potential 2016 ATM articles were discussed.

- **North Cemetery Monument Plan:** The Historical Commission is requesting Community Preservation Act (CPA) funds to implement recommendations for grave marker conservation intervention, as set forth in the recently completed North Cemetery Preservation Plan. The Commission is also working with the Department of Public Works to implement measures to protect the gravestones (e.g., bumpers on mowers, limiting weed whacking). Maureen Cavanaugh motioned to recommend the Town allocate funds not to exceed \$72,000 from the historic preservation fund to implement the grave marker conservation intervention recommendations set forth in the North Cemetery Preservation Plan. Ira Montague seconded the motion. The motion was approved (5-0-0).
- **Wayland Municipal Housing Trust Fund (WMHTF):** The WMHTF Trustees submitted a CPA application for the annual transfer of community housing funds to the WMHTF for affordable housing purposes. Ira Montague motioned to recommend the community housing funds be transferred to the WMHTF. Woody Baston seconded the motion. The motion was approved (5-0-0).
- **Oxbow Meadow Fields:** The Recreation Department submitted and then pulled an application for funding the construction of playing fields at Oxbow Meadows, citing too many unresolved issues. There are \$20k in CPA funds allocated for field design, which will continue to be utilized.

**Other Business:**

- **CPA Surcharge:** Woody Baston reported on considering an increase of the Town's CPA surcharge from 1.5% to 3%. Discussed requesting FirstSouthwest analyzes the impacts of a surcharge increase. The increase may give the town enough CPA funds, so as not to have to borrow against general funds for the acquisition of the Mainstone Farm CR and would allow for more available funds for other projects. FirstSouthwest will be asked to analyze three scenarios – increasing the surcharge to 2%, 2.5% and 3%.

**Minutes:** Ira Montague motioned for the minutes from the November 18, 2015 CPC meeting be approved, as amended. Woody Boston seconded the motion. The minutes were approved (5-0-0).

**Next Meeting:** The next meeting will be held on January 6, 2016 (and January 13, 2016, if needed) at 7:30 p.m.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
January 13, 2016**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Woody Baston, Ira Montague, Elisa Scola, John Sullivan, Susan Weinstein and Anna Meliones. These members represented a quorum of the Committee. Maureen Cavanaugh arrived at 8:00pm, after the start of the meeting.

**Other Attendees:** None

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

**Public Comment:** None

**Executive Session:** Susan Weinstein made the following motion to enter Executive Session. "I move that the Community Preservation Committee go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase or value of the real property known as Mainstone Farm."

The motion was seconded by Anna Meliones. A roll call vote followed: Baston, yes; Meliones, yes; Montague, yes; Scola, yes; Sullivan, yes; Schuler, yes; Weinstein, yes.

CPC adjourned to Executive Session at 7:40 p.m.

CPC returned to Open Meeting at 8:00 p.m.

**2016 Annual Town Meeting (ATM):** Potential 2016 ATM articles were discussed, edited and voted upon.

- **Set Aside Community Preservation Funds for Later Spending:** The following edits were made to the article: the word "act" was removed from the first line; the word "and" was removed from section b and added to section a; and the last sentence in the Pros section was deleted. After some discussion, it was determined that \$10,000 should be requested for administrative expenses. Susan Weinstein moved to approve the article as amended. John Sullivan seconded the motion. The motion was approved 8-0-0.
- **Transfer Community Housing Funds to Wayland Municipal Housing Trust Fund (WMHTF):** The following edits were made to the article. The last part of the third sentence under Comments was deleted from "plus all monies" to the period. The Pros section was changed to reflect that the transfer of funds was a routine transfer and is done in compliance with the Community Preservation Act. The Cons section was edited to reflect that the Town will not "relinquish control" but rather that the WMHTF will have independent authority to construct one or two units of affordable housing. Gretchen Schuler moved to approve the article as amended. Maureen Cavanaugh seconded the motion. The motion was approved 8-0-0.
- **Appropriate Funds to Restore Monuments at North Cemetery:** The Text of the article was edited to say a sum of money "not to exceed" \$72,000. Minor grammatical errors were corrected. There was discussion concerning adding a Comments section to the article. Maureen Cavanaugh moved to approve the article as amended. Susan Weinstein seconded the motion. The motion was approved 8-0-0.
- **Appropriate Funds to Restore Cochituate Town Clock:** The Methodist Community Church is requesting funds to restore the town-owned clock in its steeple. The history of the 1897 clock was discussed. The Historical Commission's concerns regarding the maintenance of the clock will be included in a Comments section. The cost of maintaining the clock is anticipated to be about \$580 per year not including the first two years after restoration. Susan Weinstein moved to approve the article as amended. John Sullivan seconded the motion. The motion was approved 8-0-0.

- **Increase CPA Surcharge:** There was discussion concerning the proper way to increase the surcharge where Town Meeting is after the time when a ballot question can be voted on. There was also discussion on how to bring a ballot question when there must be five hundred citizens' signatures but the ballot question cannot be raised by a board such as the CPC. Gretchen reported that FinnCom would prefer a 2% surcharge to a 3% surcharge and Conservation Commission voted to support borrowing for Mainstone from general borrowing. There was also discussion about other possible Town projects which might increase the tax burden such as a new Library and a Community Center. Woody Baston reported on First Southwest's analysis of the impacts of a surcharge increase of the Town's CPA surcharge from 1.5% to 2% and 3%. The increase may give the town enough CPA funds so as not to have to borrow against general funds for the acquisition of the Mainstone Farm CR and would allow for more available funds for other projects. John Sullivan moved to approve the article with a 3% surcharge. Ira Montague seconded the motion. The motion was approved 8-0-0. John Sullivan moved to give Gretchen Schuler, CPC chair, the authority to pull the article if it is determined that the article is unnecessary after a ballot. Susan Weinstein seconded the motion. The motion was approved 8-0-0.
- **Appropriate Funds to Purchase Conservation Restriction on Mainstone Farm:** There are two articles; the first provides for borrowing against Community Preservation Fund future receipts only and the second provides for borrowing against general funds in addition to the CPF future receipts. John Sullivan moved to approve both articles. Susan Weinstein seconded the motion. The motion was approved 8-0-0.

**Other Business:**

**Minutes:** Maureen Cavanaugh moved to approve the December 16, 2015 minutes as written. Ira Montague seconded the motion. The minutes were approved (8-0-0).

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Elisa J. Scola

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
March 30, 2016**

**APPROVED May 31, 2016**

**CPC Member Attendees:** Gretchen Schuler, Chairman, Woody Baston, Maureen Cavanaugh, Elisa Scola, John Sullivan, Susan Weinstein. These members represented a quorum of the Committee.

**Other Attendees:** Mary Antes

The meeting was called to order at 7:35 p.m.

**Public Comment:** None

**Public Hearing:** Gretchen Schuler opened the public hearing on the Community Preservation Committee (CPC) sponsored Annual Town Meeting (ATM) articles at 7:35 p.m.

Article 24 – Set Aside Funds for Later Spending. No public comment on the article.

Article 25 – Transfer Community Housing Funds. Susan Weinstein will present the article. No public comment on the article.

Article 26 – Restore Monuments in North Cemetery. Elisa Scola will present the article. No public comment on the article.

Article 27 – Restore Town-Owned Clock in Cochituate. Gretchen will present the article. Miriam Andrews has prepared remarks and the CPC recommends her remarks be presented at the “Pro” microphone (versus speaking to the article following Gretchen). No public comment on the article.

Article 30 – Appropriate Funds to Purchase Mainstone Farm Conservation Restriction. CPC discussed efforts to inform the public about the article – Wayland Town Crier article, Town website, tours of the property scheduled April 1, 2, and 3. Materials will be available at ATM including the video that is posted on the Town’s website.

Gretchen Schuler closed the Public Hearing at 8:15 p.m.

**Other Business:** Elisa Scola reports that the CPC-funded project to repair/restore historic markers is complete and there are funds remaining. John Sullivan motioned to approve the return of unexpended funds from the repair/restoration of historic markers project to the Historic Preservation Fund. Susan Weinstein seconded the motion. The motion was approved (6-0-0).

**Next Meeting:** The next meeting date is to be determined.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Maureen A. Cavanaugh



Minutes  
Economic Development Committee  
Town of Wayland MA  
May 5, 2016

Present: Becky Stanizzi, Jim Grumbach, Seth Roman, Frank Panaccio

Guests: Cherry Carlson, Sarkis Sarkisian, Doug Levine, Molly Upton, Gil Wolin

Becky Stanizzi called the meeting to order at 8:23 a.m. in the Planning Office of the Town Building.

The minutes of the March 17 meeting were approved 4-0.

Public Comment:

Cherry Carlson

Open Space and Recreation Plan Update Community Meeting

- Cherry attended the input session on the Open Space and Recreation Plan Update Community Meeting on May 4<sup>th</sup>.
- The goal is to make sure that the conservation land is well labeled and accessible to the community.
- There is currently an open survey online.
- The next meeting is scheduled for May 23<sup>rd</sup>.

Other

- The income figures from Town Center indicate that there is almost \$900K in tax revenue from both commercial and residential taxes.

Sarkis Sarkisian

- 110 Grill will be moving into the JJ McKay's space in Cochituate Village.
- Housing Authority meeting on May 19<sup>th</sup>; Trinitarian Church is considering releasing land
- Mahoney's: there was an initial meeting with a developer to discuss building affordable housing on the site
- Carroll School recently purchased 45 Waltham Rd.
- National Development is looking to put a lot of improvements into Town Center.
- Construction on the Bike Trail is expected to begin at the end of June; all permits are in place

Ace Hardware Store: Looking for ways to improve traffic and awareness; Looking to redo signs on routes 20 and 27 to raise visibility.

Whole Foods site: Fresh Market will be moving in this summer and will be reconstructing the entire footprint ahead of the move.

Finnerty's update: The court turned down further review. Jim offered to open communications and offered to provide introductions to mediators, but he didn't sense any opening. Gil highlighted concerns about too much traffic on Main St.

Rivers Edge: Bids are out again and due in June; There will be a site tour on May 10<sup>th</sup>

Senior Center: The current charge is done; a new charge is on the May 23<sup>rd</sup> BOS agenda.

Kayak Launch: Different locations are being discussed for a kayak launch and storage area.

Co-working space: Based on the success of WeWork, there is discussion of setting up a co-working space in town.

Next meeting: June 9<sup>th</sup>.

Meeting adjourned at 9:22 am, 4-0 vote.

Respectfully submitted, Frank Panaccio

Municipal Affordable Housing Trust Fund (MAHTF)

Meeting Minutes—May 4, 2016

Wayland Town Building

Attendance: Mary Antes; Jacqueline Ducharme; Stephen Greenbaum; Brian O’Herlihy; Susan Weinstein

Absent: Kevin Murphy; Jennifer Steel

Materials Distributed:

- Draft April 6, 2016 minutes
- Agenda for May 4, 2016 meeting
- Financial Statement as of April 30, 2016
- Signed letter of engagement to Brian Keveny from Melanson Heath for auditing services for the MAHTF

Open Meeting: Mary Antes called the meeting to order at 7:34 PM

Public Comment: None

Notes:

1. The April minutes were reviewed. Brian O’Herlihy moved the minutes be approved. Susan Weinstein seconded the motion. Motion approved unanimously (5-0).
2. Brian O’Herlihy provided the Treasurer’s report which included:
  - I. A review of the MAHTF financial statement (unaudited) as of April 30, 2016
  - II. A letter of engagement with Melanson Heath, to provide auditing services to MAHTF, was signed
    1. Melanson Heath agreed to provide the service to the MAHTF at the same rate as last year
3. The Trustees debriefed and further discussed the Combined Housing Meeting on May 3, 2016.
  - I. At the Combined Housing Meeting, there was a discussion of the MAHTF goals
  - II. There was an update and status of the 3 housing workgroups that were developed from an earlier Combined Housing Meeting

MAHTF Minutes—May 4, 2016

- III. There was a discussion of the issue related to monitoring agents and how to insure long-term affordability.
  - IV. At the Combined Housing Meeting, members also discussed the status of the Housing Production Plan. Susan Weinstein agreed to review various drafts, use “track changes” for edits, and to assess how to best proceed with the plan.
  - V. Information and discussion regarding the Trinitarian Church’s interest in disposing two properties, and the possibility of these being used for affordable housing.
  - VI. There was an update on plans for the Whole Foods site. The Trustees discussed the possibility of 6-12 affordable rental units being built on-top of the proposed store, Fresh Market. Septic issues and zoning laws would need to be addressed.
  - VII. The Trustees further discussed the post-development cost certification of the Town’s 40B projects. It is possible that some developers may have gotten more than the allowed 20% profit.
4. The Trustees began to discuss the Budget for 2016. However, the Trustees decided it was too early to determine specifics.
5. Jacqueline Ducharme moved that the meeting be adjourned at 8:58 PM. Stephen Greenbaum seconded the motion. Motion passed (5-0)

Respectfully Submitted,

Jacqueline Ducharme

**TOWN OF WAYLAND  
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**BALANCE SHEET  
(Unaudited)  
As of April 30, 2016**

	Current Month	Prior Month	Variance
<b>ASSETS</b>			
Cash and cash equivalents	\$ 574,379.28	\$ 478,598.75	\$ 95,780.53
Investments <sup>1</sup>	401,815.94	401,324.06	491.88
Inclusionary housing payments receivable	12,791.43	12,791.43	-
<b>Total assets</b>	<u>\$ 988,986.65</u>	<u>\$ 892,714.24</u>	<u>\$ 96,272.41</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Liabilities	\$ 0.00	\$ 0.00	\$ -
Due to Town of Wayland	0.00	12,791.43	(12,791.43)
<b>Total liabilities</b>	<u>0.00</u>	<u>12,791.43</u>	<u>(12,791.43)</u>
<b>FUND BALANCE</b>			
Nonspendable	0.00	0.00	-
Restricted	988,986.65	879,922.81	109,063.84
Committed	0.00	0.00	-
Assigned	0.00	0.00	-
Unassigned	0.00	0.00	-
<b>Total fund balance</b>	<u>988,986.65</u>	<u>879,922.81</u>	<u>109,063.84</u>
<b>Total liabilities and fund balance</b>	<u>\$ 988,986.65</u>	<u>\$ 892,714.24</u>	<u>\$ 96,272.41</u>

<sup>1</sup> Represents \$400,000 deposited in 18-month certificates of deposit at The Village Bank - maturity date of July 11, 2017; interest rate of 1.49% (subject to prepayment penalty on any portion withdrawn prior to maturity date). The amount shown above includes accrued unpaid interest - for fund accounting purposes, these investment funds may need to be recorded at cost.

**TOWN OF WAYLAND  
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
(Unaudited)**

For the Period July 1, 2015 to April 30, 2016

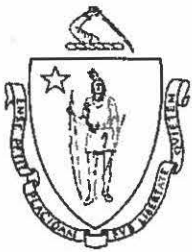
	Committed	Restricted	Current Month Total	Prior Month Total	Variance
<b>REVENUES</b>					
Investment income	\$ 0.00	2,895.17	\$ 2,895.17	\$ 2,316.76	\$ 578.41
Inclusionary housing payments	0.00	230,245.74	230,245.74	217,454.31	12,791.43
Total revenues	0.00	233,140.91	233,140.91	219,771.07	13,369.84
<b>EXPENDITURES</b>					
Professional fees	(0.00)	(2,500.00)	(2,500.00)	(2,500.00)	-
Bank fees	(0.00)	(20.00)	(20.00)	(20.00)	-
Total expenditures	(0.00)	(2,520.00)	(2,520.00)	(2,520.00)	-
Excess of revenues over expenditures	0.00	230,620.91	230,620.91	217,251.07	13,369.84
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfers in - Town of Wayland	0.00	95,694.00	95,694.00	0.00	95,694.00
Total other financing sources (uses)	0.00	95,694.00	95,694.00	0.00	95,694.00
<b>NET CHANGE IN FUND BALANCE</b>	0.00	326,314.91	326,314.91	217,251.07	109,063.84
<b>FUND BALANCE, AT JULY 1, 2015</b>	0.00	662,671.74	662,671.74	662,671.74	-
<b>FUND BALANCE, AT APRIL 30, 2016</b>	\$ 0.00	\$ 988,986.65	\$ 988,986.65	\$ 879,922.81	\$ 109,063.84

**TOWN OF WAYLAND  
MUNICIPAL AFFORDABLE HOUSING TRUST FUND**

**STATEMENT OF CASH FLOWS  
(Unaudited)**

For the Period July 1, 2015 to April 30, 2016

<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>	
Change in fund balances	\$ 326,314.91
Adjustments to reconcile change in net assets to net cash provided by operating activities:	
Unrealized investment income - certificate of deposits	(1,815.94)
Change in:	
Inclusionary housing payments receivable	<u>38,374.29</u>
Net cash provided by operating activities	<u>362,873.26</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>	
Investments - certificates of deposit	<u>(400,000.00)</u>
Net cash used in investing activities	<u>(400,000.00)</u>
<b>NET CHANGE IN CASH AND CASH EQUIVALENTS</b>	<b>(37,126.74)</b>
<b>CASH AND CASH EQUIVALENTS, AT JULY 1, 2015</b>	<u>611,506.02</u>
<b>CASH AND CASH EQUIVALENTS, AT APRIL 30, 2016</b>	<u>\$ 574,379.28</u>



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

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MAURA HEALEY  
ATTORNEY GENERAL

(617) 727-2200  
(617) 727-4765 TTY  
[www.mass.gov/ago](http://www.mass.gov/ago)

June 2, 2016

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

**RE: Open Meeting Law Complaint**

Dear Attorney Harris:

Thank you for contacting the Attorney General's Office. On May 31, 2016, we received your Open Meeting Law complaint, which was originally received by the Wayland Board of Selectmen on or about March 10, 2016. We will review your complaint and will contact you in the event that we require additional information. We will notify you of our determination following our Office's review.

Your complaint may be resolved through either a formal order or informal action. Formal orders contain a detailed discussion of the alleged violation, applicable legal requirements, and may order any of the remedies provided in G.L. c. 30A, § 23(c). If a complaint is appropriate for informal action, we will attempt to resolve the matter by speaking to the parties, followed by a brief letter noting whether or not there was a violation and what remedial action was taken.

For additional information on the Open Meeting Law and the complaint process, please visit our website at [www.mass.gov/ago/openmeeting](http://www.mass.gov/ago/openmeeting). Please do not hesitate to contact the Division of Open Government with any further questions.

Sincerely,

Bongani T. Jeranyama  
Paralegal  
Division of Open Government

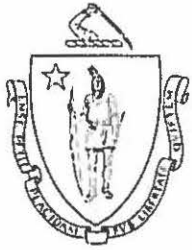
cc: Cherry Karlson, Chair, Wayland Board of Selectmen  
Wayland Board of Selectmen

**RECEIVED**

JUN - 6 2016

Board of Selectmen  
Town of Wayland





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

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MAURA HEALEY  
ATTORNEY GENERAL

(617) 727-2200  
(617) 727-4765 TTY  
[www.mass.gov/ago](http://www.mass.gov/ago)

June 6, 2016

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

**RE: Open Meeting Law Complaint**

Dear Attorney Harris:

Thank you for contacting the Attorney General's Office. On June 6, 2016, we received your Open Meeting Law complaint, which was originally received by the Wayland Board of Selectmen on or about April 8, 2016. We will review your complaint and will contact you in the event that we require additional information. We will notify you of our determination following our Office's review.

Your complaint may be resolved through either a formal order or informal action. Formal orders contain a detailed discussion of the alleged violation, applicable legal requirements, and may order any of the remedies provided in G.L. c. 30A, § 23(c). If a complaint is appropriate for informal action, we will attempt to resolve the matter by speaking to the parties, followed by a brief letter noting whether or not there was a violation and what remedial action was taken.

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Sincerely,

Bongani T. Jeranyama  
Paralegal  
Division of Open Government

cc: Nan Balmer, Wayland Town Administrator  
Wayland Board of Selectmen

**RECEIVED**

JUN - 8 2016

Board of Selectmen  
Town of Wayland