

**PACKET**

**JAN 23**

**2017**



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, January 23, 2017**  
**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road Wayland**

### 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 Litigation if an Open Meeting may have a Detrimental Effect on the Litigating Position of the Public Body and the Chair So Declares and Specifically, to Discuss:
- a. Whether the Town Should Pursue Legal Proceedings with Respect to the Town's Agreement with Twenty Wayland, LLC, Relative to Property and Development Located Off 400-440 Boston Post Road; and
  - b. To Discuss Strategy with Respect to a Pending Action regarding 150 Main Street LLC v. Zoning Board of Appeals, Pending with the Land Court
- 7:00 pm 2.) Call to Order by Chair
- Review Agenda for the Public; Announcements
- 7:02 pm 3.) Public Comment
- 7:10 pm 4.) Meet with Town Counsel:
- 150 Main Street LLC v. Zoning Board of Appeals: Discussion of Roles of Board of Selectmen, Town Administrator, Building Commissioner, and Zoning Board of Appeals with Respect to Zoning Enforcement Issues
  - Budget Process – Roles of Selectmen, Finance Committee, and School Committee under Town Code and Massachusetts General Law
  - Update on Town Legal Transition
- 7:45 pm 5.) Attend Finance Committee's Annual Town Meeting Warrant Article Hearing

**BOARD OF SELECTMEN**

**Monday, January 23, 2017  
Wayland Town Building  
Selectmen's Meeting Room  
41 Cochituate Road Wayland**

**Proposed Agenda Page Two**

- 8:45 pm 6.) Selectmen's Work Session: Rivers Edge
- Timetable
  - Review Evaluative Criteria
  - Notice of Award Requirements
  - Update on Site Considerations: DPW, School Buses
  - Revised Economic Impact Analysis
- 9:15 pm 7.) Discuss and Vote Positions on Annual Town Meeting Articles
- 9:35 pm 8.) Meet with Town Moderator to Discuss Moderator's Forum and Annual Town Meeting
- 9:55 pm 9.) Minutes: Review and Vote to Approve Minutes of January 9, 2017
- 10:00 pm 10.) Consent Calendar: Review and Vote to Approve (See Separate Sheet)
- 10:05 pm 11.) Review Correspondence (See Separate Index Sheet)
- 10:15 pm 12.) Selectmen's Reports and Concerns
- 10:25 pm 13.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 10:30 pm 14.) Adjourn

# (4) TOWN COUNSEL

DATE: JANUARY 23, 2017  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: MEET WITH TOWN COUNSEL

1. 150 Main:
  - Review of the role of Board of Selectmen with regard to the issuance of building permits by the Building Commissioner and the decisions and review processes of Zoning and Planning Boards.
  - Attached are revised office procedures for Building Department and Town Clerk.
2. Budget process:
  - Town Counsel will review the roles and responsibilities of public bodies under Town Code and MA General Law (schools) ---- see attached from Town Code.
3. Update on transition to new Town Counsel.





# TOWN OF WAYLAND

MASSACHUSETTS

01778

TOWN CLERK  
BETH KLEIN

bklein@wayland.ma.us

ASSISTANT TOWN CLERK  
DIANE M. GORHAM

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TOWN BUILDING  
41 COCHITUATE ROAD

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**TO: Nan Balmer, Town Administrator**

**From: Beth R. Klein, Town Clerk**

**Date: January 19, 2017**

**Re: Office Policy when the Town Clerk's Office is closed to the Public**

On occasion the Town Clerk's Office may be unable to get suitable coverage and therefore will be closed for part of the day during town business hours. This may be due to participating in offsite training, election activity, Town Meeting or for unexpected personal reasons. Advance notice to the Public of when the office may be closed will be provided. This information will be available on the town calendar and Clerk webpage. Please note that the Office has never been closed for an entire day, so that anyone needing to file a document or post an agenda will always be able to do so.

1. Advance email notice to the Town Administrator, Department heads, Board and Committee Chairs, that the Town Clerk's office will be closed and alternate arrangements to be followed for filings. (currently in place)
2. Placing a statement on the Town Clerk webpage that during busy times i.e. elections, Town Meeting, it may be helpful to call ahead to make sure there is someone there to assist them. (has been done)
3. The building department has shared its filing procedures with the Town Clerk and will be notified when the Town Clerks office is closed.
4. Residents can contact the Town Clerk by email.




**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**BUILDING DEPARTMENT**

Geoffrey S. Larsen  
Building Commissioner

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3600  
FAX: (508) 358-3606

**Memo**

**Date:** August 30, 2016  
**To:** To All Parties in Interest  
**From:** Geoffrey S. Larsen, Building Commissioner   
**RE:** Administering ZBA applications pursuant to MGL 40A  
and the Town of Wayland Zoning By-Laws.

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This memo is in response to the requirements of MGL 40A and Article 2 Administration and Enforcement of the Town's Zoning By-Laws.

In order to administer ZBA appeals, applications or petitions as directed by statute and Town zoning; specifically the taking in of ZBA applications, the Building Department has determined the following:

It is recommended that the Petitioner seek professional legal advice in writing and filing a notice of appeal, application or petition with the Zoning Board of Appeals.

It is not the purview of the Building Department to direct the PETITIONER but rather to provide general Town zoning information. Please note that specific appeals of the Building Commissioner's determinations and, or a denial of a permit, must be accompanied with a copy of the Building Official's written basis for an appeal. MGL 40A §15.

It follows:

- The PETITIONER shall be solely responsible for the content of a completed appeal, application or petition to be heard first by the Zoning Board of Appeals. It is recommended that the PETITIONER seek an initial and general review of their application's completeness by Building Department staff prior to filing a notice of appeal with the Town Clerk as controlled by MGL 40A §15 Appeals Procedure.
- The PETITIONER shall be responsible for filing their notice of appeal/application/petition with the Town Clerk for the date stamp that certifies the beginning of the administrative calendar. The Town Clerk's office does not review for completeness and, or content of a specific application and/or receive the PETITIONER'S fee.
- The PETITIONER then shall forthwith file with the Building Department their Town Clerk date stamped appeal, application or petition for a general review for completeness and also pay the required fees. Following a successful general review and payment the Building Department then transmits said application forthwith to the ZBA to be scheduled a hearing date.

This is a good faith overview of the administration of ZBA applications. It is the responsibility of the PETITIONER to understand the administrative process of their application. There are rights and obligations inherent in this process and the omission of a step can lead to a denial or granting of a petition as an unintended consequence.

Cc: Town Administrator, ZBA, Town Clerk, Town Council

Town of Wayland, MA  
Thursday, January 19, 2017

## Chapter 19. Finances

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 3-12-1973 by Art. 14 as Art. 4 of the 1973 Bylaws. Amendments noted where applicable.]

### **GENERAL REFERENCES**

Disposal of surplus property — See Ch. 62.

Treasurer and Collector — See Ch. 72.

### § 19-1. Finance Committee.

[Amended 5-6-1992 ATM by Art. 19; 5-10-1999 ATM by Art. 25]

There shall be a committee called the "Finance Committee" appointed by the Board of Selectmen as hereinafter provided. Such committee shall consist of seven registered voters who shall serve without pay and none of whom during his or her service on such Committee shall hold elective or appointive Town office having to do with the appropriation or expenditure of Town money. Members shall serve terms of three years, such that the terms of two or three members shall expire each year. Appointment to fill unexpired terms shall be made by the Board of Selectmen as vacancies occur.

### § 19-2. Budget; capital improvement program.

[Amended 5-6-1992 ATM by Art. 20]

The Finance Committee shall prepare the omnibus operating budget of the Town and submit it at the annual Town meeting. It shall also prepare and present to the annual Town meeting a five-year capital improvement program for the Town, which shall include the construction and reconstruction of capital assets (such as municipal buildings, recreational facilities, roads and landfills) and acquisition of land, equipment and vehicles and other personal property, and shall make recommendations to the appropriate authorities proposing such improvements.

### § 19-3. Finance Committee reports.

[Amended 5-5-1983 ATM by Art. 21; 5-1-2000 ATM by Art. 17]

The Board of Selectmen, after drawing a warrant for a Town meeting, shall immediately forward a copy thereof to each member of said Finance Committee, which shall consider all articles in the warrant and make such report, in print or otherwise, to the Town meeting as it deems for the best of the Town. In gathering information to prepare its report, if any, relative to an article, the Finance Committee shall meet with the party or parties that proposed the article and concurrently with others who want to comment thereon, and shall publicly post notice thereof on the Town's principal official bulletin board at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to such meeting. However, if the Finance Committee's report on any article exceeds 30 words in length, excepting an article which requests approval of the Town's itemized, omnibus operating budget for the ensuing fiscal year, then that report on said article shall conclude with a summary of reasons favoring the article that

were considered by the Finance Committee in its deliberations and a separate summary of reasons disfavoring the article that were considered by the Finance Committee in its deliberations. The Committee shall also make an annual report which shall be published as part of the Annual Town Report and which shall include recommendations for appropriations for the ensuing year, a budget and such further recommendations regarding the finances of the Town and action in regard thereto as seems to such Committee to be necessary and appropriate.

## § 19-4. Estimates of expenses and income.

[Amended 4-3-2003 ATM by Art. 37; 5-3-2004 ATM by Art. 11]

The various Town boards, officers and committees charged with the expenditure of Town money shall, not later than the 15th of December in each year, file with the Clerk of the Finance Committee detailed estimates of the amounts deemed necessary for the administration of their respective board, office or committee for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year. They shall also file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their board, office or committee. One month prior to the 15th of December in each year, for all Town boards, officers and committees under the jurisdiction of the Board of Selectmen, the Town Administrator shall submit to the Board of Selectmen detailed estimates of the amounts deemed necessary for the administration of all such boards, offices, or departments for the ensuing fiscal year, including both capital and expense items. The Town boards, officers and committees under the Board of Selectmen's jurisdiction shall be defined as those boards, officers and committees appointed by the Board of Selectmen in accordance with the Town's by-laws and/or state law. The budget submission should include explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding fiscal year. For each such Town board, officer, committee and department under the Board of Selectmen's jurisdiction, the Town Administrator shall also, as part of the submission, file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of each such board, office, committee or department. For the Town boards, officers, committees and departments under the Board of Selectmen's jurisdiction, the Town Administrator shall submit preliminary budgets to the Finance Committee by December 15th of each year. Prior to January 15 of each year, unless another date is agreed to, the Town Administrator shall review and make recommendations to the Board of Selectmen with respect to the budget requests, including both capital and expense items, and income estimates of all other Town boards, committees, offices and departments, except for the School Committee. In addition, the Board of Selectmen shall, no later than the 15th of January in each year, unless another date is agreed to, make both a capital and expense budget recommendation to the Finance Committee for the ensuing fiscal year for each Town board, officer and committee under its jurisdiction.

## § 19-5. Warrant articles involving appropriations or expenditures.

- A. Any person presenting an article for insertion in the warrant for any Town meeting which involves the appropriation or expenditure of money by the Town shall also submit an estimate of the expected amount of money to be expended or appropriated to carry out the purpose of the article. Said estimate, together with the name of the person or persons submitting such article, shall be transmitted by the Board of Selectmen to the Finance Committee.
- B. In order for funds to be made available by the Town for contribution to the Other Postemployment Benefits Trust Fund ("OPEB Trust Fund"), such funds must be appropriated by



Town of Wayland, MA  
Thursday, January 19, 2017

## Chapter 60. Town Administrator

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 5-3-2004 by Art. 11. Amendments noted where applicable.]

### GENERAL REFERENCES

Boards, commissions and committees — See Ch. 6.

Finances — See Ch. 19.

Personnel — See Ch. 43.

Board of Selectmen — See Ch. 58.

Treasurer and Collector — See Ch. 72.

### § 60-1. Appointment and qualifications.

60.1.1 The Board of Selectmen, by a majority vote of its full membership then serving, may appoint a Town Administrator for a term of one or three years or the Town Administrator may serve the Town at will at the pleasure of the Board of Selectmen. The Town Administrator shall receive such aggregate compensation and benefits, not exceeding the amount appropriated, as the Board of Selectmen may determine. The Board of Selectmen may, but is not required to, establish a written employment contract with the Town Administrator pursuant to Massachusetts General Laws Chapter 41, Section 108N, to provide for the salary, fringe benefits, and other conditions of employment. The Town Administrator position shall be a non-union position.

60.1.2 The Town Administrator shall be appointed on the basis of educational, management and administrative qualifications and experience, including at least a bachelor's degree in a related field of study from an accredited four-year college or university. The Town Administrator shall have considerable professional experience, consisting of compensated service in municipal administration or an equivalent combination of education and business management experience.

60.1.3 The Town Administrator shall devote full-time to the responsibilities of the office. The Town Administrator shall hold no elective Wayland Town office. The Town Administrator may be appointed by the Board of Selectmen to any other compatible Town office or position, but s/he/she shall engage in no other business or occupation without advance written authorization by the Board of Selectmen.

### § 60-2. Authority and responsibilities.

60.2.1 The Town Administrator shall be responsible for executing all of the activities noted in the Town Administrator's job description in compliance with federal and state laws and the Town's bylaws and Town policies. The Town Administrator shall be responsible for the management of all affairs of the Town and Town departments under the supervision and control of the Board of Selectmen and shall act by and for the Selectmen in any matter relating to the administration and operations of the affairs of the Town which they may assign to the position.

The Town Administrator shall be responsible for overseeing, coordinating, and making recommendations that may impact multiple Town boards and committees, broadly or in detail, regarding Town financial, personnel and legal activities. The Town Administrator will not set Town

policy, but will ensure there is appropriate coordination in the implementation of Town policy working across all Town departments in conjunction with all elected and appointed boards and committees.

Certain department heads and elected boards and committees have state statutory authority or responsibility over specific job-related activities resulting in the implementation of technical decisions, as defined in Town bylaws or Town policies. The technical knowledge necessary to execute the specific job-related activities is held by the applicable department heads and elected boards and committees. The Town Administrator shall understand and have a working knowledge of the statutory authority and responsibility held by certain department heads and elected boards and committees so s/he/she can effectively support these officers in the execution of their duties. Nothing in this bylaw is intended to reassign state statutory authority or responsibility over specific job activities, as defined in Town bylaws or Town policies to the Town Administrator.

60.2.2 The Town Administrator shall, unless otherwise directed by the Board of Selectmen, manage and supervise all affairs of Town departments and committees under the jurisdiction of the Board of Selectmen.

With respect to all other affairs of the Town government, the Town Administrator shall:

- (a) With respect to Town policies and programs that impact multiple areas of Town government, working with all elected and appointed boards and committees and Town department heads, be accountable for ensuring there is appropriate administration and coordination both (i) in the implementation and on-going adherence to Town policies; and (ii) in the development and execution of programs;
- (b) Be accountable for ensuring that all Town boards and committees and employees under the jurisdiction of these Boards:
  - 1) Comply with the Town's financial, personnel and legal policies and procedures;
  - 2) Comply with votes of Town meeting and Town bylaws and federal and state laws;
  - 3) With respect to the development, implementation and execution of policies and programs affecting various Town departments:
    - i. Coordinate the setting of priorities with the rest of the Town government;
    - ii. Communicate activities, including projects, plans and studies, so that necessary input is received from all areas of Town government that should be involved in those initiatives;
    - iii. Coordinate efforts so that cross-functional services to residents and others are effectively and consistently delivered, and
  - 4) Prepare, file and maintain the appropriate records and reports on behalf of the Town; but, in no event shall the Town Administrator be responsible for making policy decisions or implementing technical decisions provided for by state statute, Town bylaws or Town policies;
- (c) Work with the Finance Director and Finance Committee to:
  - 1) Develop long-term financial strategies for the Town;
  - 2) Establish set budgetary guidelines to be used in the development of annual budgets;
  - 3) Review budgets of all Town departments and make recommendations to the affected boards and committees and to the Finance Committee about priorities important to budget development; and
  - 4) Evaluate actual expenditures and receipts against budgets and coordinate with affected department heads, boards and committees the development of plans to manage to the budget or obtain Finance Committee approval for Reserve Fund transfers, in advance of spending, when possible;
- (d) Maintain an inventory of all Town-owned real and personal property;
- (e) Serve as the Town's chief procurement officer under the provisions of Massachusetts General Laws Chapter 30B;
- (f) Working with the Town's Human Resource Director, be responsible for the daily administration of the Town-wide personnel system, including the maintenance of personnel records and the

(5) WARRANT ARTICLE  
HEARING

DATE: JANUARY 23, 2017  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: ATM:  
1) WARRANT ARTICLE HEARING  
2) VOTE ON STANDARD TOWN MEETING ARTICLES

The Board will attend the Finance Committee's Warrant Article Hearing at 7:45 PM and vote on the "standard articles", A-L.

The updated article list is attached and will be distributed in hard copy at Monday's meeting so that you can make notations.

(6) RIVERS EDGE

DATE: JANUARY 23, 2017  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: RIVERS EDGE WORKSHOP

**PROJECT TIMETABLE:**

On November 21, 2016 the Board of Selectmen voted to amend the schedule for the Rivers Edge request for proposal to extend the dates for 1) issuance of a notice of award to February 1, 2017, 2) Execution of a land disposition agreement by March 3, 2017, 3) Completion of due diligence period by June 1, 2017, and 4) Completion of local and state permitting and closing by March 1, 2018.

The Board may extend the timetable by several more weeks if required.

**EVALUATIVE CRITERIA:**

Attached

**NOTICE OF AWARD REQUIREMENTS**

Preliminary draft from Special Counsel David Weiner will be provided Monday night.

**SITE CONSIDERATIONS**

Update on School bus parking is attached.

Revised Draft Economic Analysis attached. Includes table of one-time assumed revenues and expenses and makes minor corrections.



## **G. Evaluation Criteria**

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

### **1. Minimum Threshold Criteria**

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

- a. The Proposal must be complete and conform to all submission requirements set forth in this RFP and any Addendum to this RFP issued before the submission deadline.
- b. The Proposal must be timely submitted.
- c. To be responsible under this RFP, an RFP Respondent:
- d. Must demonstrate through the information and documents submitted with its RFP Response that the RFP Respondent has the capability, integrity and reliability to acquire the Property and perform the Project under the RFP and the Land Disposition Agreement (Exhibit 2.1).
- e. Must have prior experience in completing similar projects.

### **2. Comparative Evaluation Criteria**

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

#### **a. Comparable Experience & Financial Strength**

- A **Highly Advantageous** rating will be given to a proposal that in the judgment of the evaluators identifies a highly qualified RFP Respondent and highly experienced Project Team (including developer, designers, engineers, builder) with (a) extensive experience with comparable residential and rental projects, (b) an exceptional record of successfully completing similar residential and rental projects on schedule and within budget, and (c) top caliber principals and senior staff assigned to the Project Team based on the resumes and references provided and (d) exceptional financial strength, committed financial partners and demonstrated capacity to undertake and complete the Project.
- An **Advantageous** rating will be given to a proposal that in the judgment of the evaluators identifies a qualified RFP Respondent and experienced Project Team with (a) relevant experience with comparable residential and rental projects, (b) a record of successfully completing residential and

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rental projects, and (c) experienced personnel staff assigned to the Project based on the resumes and references provided and (d) reasonable and demonstrated financial strength to undertake the Project.

- A **Passable/Not Advantageous** rating will be given to a proposal that in the judgment of the evaluators identifies merely a passable RFP Respondent, Project Team, financial strength and capacity to undertake and complete the Project (above Unacceptable and below Advantageous).
- An **Unacceptable** rating will be given to a proposal that in the judgment of the evaluators fails to identify a qualified RFP Respondent, experienced Project Team, reasonable and demonstrated financial strength and capacity to undertake the Project.

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

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

- A **Highly Advantageous** rating will be given to a proposal that in the judgment of the evaluators meets and exceeds the qualitative design requirements of the RFP; presents superior merit in terms of architectural features, unit designs and amenities, and the quality of proposed construction; and carefully integrates the development of the Property as a gateway feature to the Town.
- An **Advantageous** rating will be given to a proposal that in the judgment of the evaluators complies with the design requirements of the RFP and presents an acceptable quality of building and unit design and construction.
- A **Passable/Not Advantageous** rating will be given to a proposal that in the judgment of the evaluators identifies merely passable design and quality (above Unacceptable and below Advantageous).
- An **Unacceptable** rating will be given to a proposal that in the judgment of the evaluators fails to meet the design requirements of the RFP and presents an unacceptable design or quality of buildings, units, amenities, layout or construction.

### **c. Quality of Community**

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

- A **Highly Advantageous** rating will be given to a proposal that in the judgment of the evaluators meets and exceeds the qualitative design requirements of the RFP; presents superior merit in terms of unit designs and amenities, common area design and amenities, and quality of

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community for residents, internally and as part of the larger Wayland community.

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

d. **Feasibility of Proposed Project.**

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

e. **Range of Housing Opportunities.**

- A **Highly Advantageous** rating will be given to a proposal that in the judgment of the evaluators will meet or exceed the affordability and senior housing requirements established by the RFP, the REHOD (Exhibit 3.1) and the River's Edge Design Guidelines (Exhibit 5.1) (collectively the "Affordability and Senior Housing Requirements") and will result in a higher number in the range of 150-190 new rental housing units which are counted toward the Town's Subsidized Housing Inventory.
- An **Advantageous** rating will be given to a proposal that in the judgment of the evaluators will meet the Affordability and Senior Housing Requirements, and will result in a lower number in the range of 150-190 new rental housing units which are counted toward the Town's Subsidized Housing Inventory.

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

f. **Proposed Development Schedule.**

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

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

g. **Interviews (If Conducted)**

- A **Highly Advantageous** rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance demonstrated highly professional team leadership, detailed knowledge of the RFP requirements and the Property Information, and a sound and proven strategy and methodology for overcoming impediments and achieving success on the Project.
- An **Advantageous** rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance demonstrated professional team leadership, working knowledge of the RFP requirements and the Property Information, and a workable strategy and methodology for overcoming impediments and achieving success on the Project.
- A **Passable/Not Advantageous** rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance demonstrated passable team leadership, a passing knowledge of the RFP requirements and the Property Information, and a



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potential but unproven strategy and methodology for overcoming impediments and achieving success on the Project.

- An **Unacceptable** rating will be given to a proposal based on the interview, when, in the judgment of the evaluators, the Project Team in attendance failed to demonstrate sufficient team leadership, even a passing knowledge of the RFP requirements and the Property Information, or a modicum of strategy and methodology for overcoming impediments and achieving success on the Project.

### **h. Preliminary Ranking**

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

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

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

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

### **j. Final Ranking**

After arriving at the four categories of price rankings, the evaluators will arrive at a final recommended ranking of the proposals relative to the other proposals taking

# **Fiscal Impact Analysis**

## **River's Edge Apartments Wayland, MA**

**January 12, 2017**

DRAFT

**Prepared By  
Fougere Planning & Development, Inc.**

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**River's Edge Apartments  
Wayland, MA**

**FISCAL IMPACT ANALYSIS  
Comparative Analysis**

**January 12, 2017**

**Introduction**

If an effort to explore opportunities for affordable housing in the community, the Town of Wayland initiated a Request for Proposals (RFP) to redevelop a 7.63 parcel of property located on Boston Post Road presently used by Wayland Department of Public Works (and various other town departments) as an apartment site. This effort has been ongoing for a number of years and has involved a variety of development scenarios. The most recent proposal is for the development of 188 apartment rental units, with 25% of the units being age restricted (+55) and 25% of the units being affordable. Two development groups have responded to the RFP, Baystone Development and WP East. Fougere Planning and Development has been engaged by the Town of Wayland to undertake a Fiscal Impact Analysis to review the fiscal characteristics of these two proposals. This effort will be carry over from the work completed by Connery Associates who provided an analysis of an alternative scenario a fiscal report dated March 15, 2013; similar approaches and methodologies will be used in this report.

Table One outlines the specific apartment breakdown of the two alternative development projects. The Baystone option includes studios, one - three bedroom units and will include 141 non-age restricted (36 affordable) units and 47 age restricted units (11 affordable) units. The WP West proposal provides a mix of one and two bedroom units with a slightly larger age-restricted allocation of 51 units (13 affordable) and 137 non-age restricted units (34 affordable).

**Table One  
Apartment Development Scenarios<sup>1</sup>**

<b>Baystone</b>			
<b>Market Rate</b>	<b># Units</b>	<b>Non -Age Restricted</b>	<b>Age Restricted Units</b>
Studio	3	1	2
One Beds	72	54	18
Two Beds	64	48	16
Three Beds	2	2	0
<b>Affordable</b>			
Studio	2	1	1
One Beds	23	18	5
Two Beds	21	16	5
Three Beds	1	1	0
	<b>188</b>	<b>141</b>	<b>47</b>
<b>WP East</b>			
<b>Market Rate</b>	<b># Units</b>	<b>Non -Age Restricted</b>	<b>Age Restricted Units</b>
One Beds	67	52	16
Two Beds	74	51	22
<b>Affordable</b>			
One Beds	22	17	5
Two Beds	25	17	8
	<b>188</b>	<b>137</b>	<b>51</b>

It should be noted that both developments will be operated privately and as such all proposed access ways will be maintained by the owner, along with trash pickup.

<sup>1</sup> Bedroom mix details obtained from the River's Edge Advisory Committee and town's RFP.

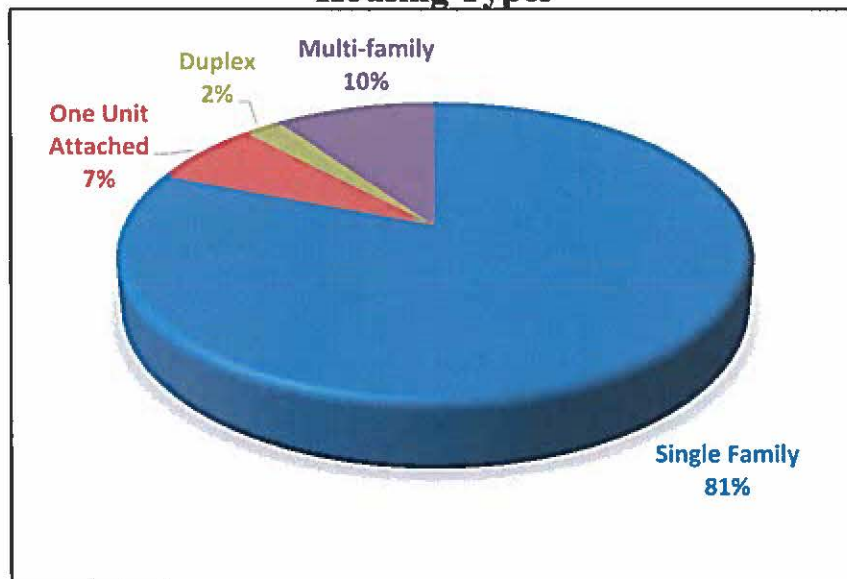


## Local Trends

Census figures report that from 2000 to 2010 Wayland's population decreased from 13,100 to 12,994, showing negative population growth over the 10 year time period. The most recent population estimates from the US Census Bureau<sup>2</sup> report a population of 13,294.

A majority of Wayland's housing stock consists of single family homes, with 2014 US Census data reporting 4,350 single family homes out of a total housing stock of 5,373 units; Figure One.

**Figure One  
Housing Types**



### **A. Methodology Approach**

There are a number of methodologies that are used to estimate fiscal impacts of proposed developments. The Per Capita Multiplier Method is the most often used to determine municipal cost allocation. This method is the classic "average" costing method for projecting the impact of population growth on local spending patterns and is used to

<sup>2</sup> 2010-2014 American Factfinder



establish the costs of existing services for the new development. The basic premise of this method is that current revenue/cost ratios per person and per unit is a potential indicator of future revenue/cost impacts occasioned by growth. The advantage of this approach is its simplicity of implementation; however, the downside of this approach is that the methodology calculates the “average” cost as being the expected cost, which is often not the case, and costs can be exaggerated—in some cases significantly. To account for this, we have also used a Marginal Cost Approach methodology to estimate potential actual costs that may occur in the community. In reviewing exclusively those town departments that may realize a measurable impact from the proposed development a truer picture of anticipated costs impacts can be determined. For most new land uses, many department budgets are not measurably impacted in any long term way.

At the beginning of this project, meetings were held with key town department heads and officials. The purpose of these meetings was to outline the fiscal impact approach, as well as to hear from local officials relative to their concerns about present service capacity and how the proposed development scenarios may impact their department. Specifically, meetings and/or discussions took place with the Town Administrator, School Superintendent, Assessing Officials, Fire and Police Departments. In addition, information was provided from the Board of Public Works outlining the cost ramifications associated with losing the use of the subject site.

## **Local Revenues From Development**

### **A) Property Taxes**

Local property taxes provide the bulk of municipal revenues for Wayland, totaling 85% of revenues to the General Fund<sup>3</sup>. Wayland’s FY 17 tax rate is \$18.14 per \$1,000 valuation. As part of the response to the RFP, each development team submitted a detailed Operating Pro Forma and a Statement of Estimated Tax Revenues. Based on this analysis the Income Approach was used to arrive at an estimated assessed value of the proposed project. Specific details included were projected revenues, operating expenses,

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<sup>3</sup> Fiscal Year 2015, Town Report page 24.

an assumed vacancy rate (5%) and the use of an 8% Cap Rate; Table Two. The estimated tax rate is based upon stabilization of occupancy for the proposed project.

**Table Two  
Estimated Yearly Taxes**

	<b>Baystone</b>	<b>WP East</b>
Gross Revenues	\$5,344,434	\$6,530,156
Less 5% Vacancy	\$267,722	\$326,508
Effective Gross Income	\$5,077,212	\$6,603,648
Operating Expenses 30%	\$1,523,164	\$1,861,095
Net Operating Income	\$3,554,049	\$4,342,554
Estimated Property Assessment - 8% CAP <sup>4</sup>	\$44,425,613	\$54,281,925
Estimated Property Taxes (\$18.14 – FY 17)	\$805,880	\$984,674
Community Preservation Act Surcharge <sup>5</sup>	\$12,088	\$14,770
<b>Total Yearly Taxes / CPA Surcharge</b>	<b>\$817,968</b>	<b>\$999,444</b>

**Note:** The proposals submitted by the two development teams used the old tax rate of \$17.34 to estimate their taxes; based on the old tax rate the Baystone proposal estimated \$770,428 a year in property taxes and WP East \$941,249.

**B) Miscellaneous Yearly Revenues**

**Motor Vehicle Registration**

Another major revenue source for the community is from motor vehicle permit fees. In fiscal year 2016 the Town of Wayland received a total of \$2,541,128<sup>6</sup> from this revenue source, which translated into an average tax of \$186 per registration. Given the proposed apartment use and the affordable housing component, the estimated tax is discounted by 50%. Table Three outlines the projected vehicle registration revenue stream for the proposed project.

**Table Three  
Motor Vehicle Permit Fees**

<b>\$93 x 253 vehicles<sup>7</sup> =</b>	<b>\$23,529</b>
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<sup>4</sup> The capitalization rate is the rate of return on a real estate investment property based on the income that the property is expected to generate. The capitalization rate is used to estimate the investor's potential return on his or her investment.

<sup>5</sup> 1.5% Annual Surcharge, \$18.14/\$1,000

<sup>6</sup> Town Treasure/tax collector

<sup>7</sup> Projected 1.35 vehicles per home.

C) Community Preservation Surcharge

The Town of Wayland has adopted the Community Preservation Act, allowing the community to impose a 1.5% surcharge on the property tax levy. Based upon the estimated taxes outlined in Table Two, the following CPA surcharge is estimated; Table Four.

**Table Four  
Community Preservation Surcharge**

		% CPA Surcharge	Surcharge
Estimated Baystone Taxes	\$805,880	1.5%	\$12,008
Estimated WP East Taxes	\$984,674	1.5%	\$14,770

D) Estimated Yearly Project Revenues

The two alternative development options are estimated to generate a range of \$853,766 to \$1,037,964 in yearly tax revenue from both property tax and automotive permit fees; Table Five.

**Table Five  
Estimated Yearly Taxes<sup>8</sup>**

	Baystone	WP East
Estimated Yearly Property Taxes	\$805,880	\$984,674
Estimated Yearly Car Excise Taxes	\$23,529	\$23,529
Estimated CPA Surcharge	\$12,008	\$14,770
Estimated Yearly Tax Revenue	\$841,417	\$1,022,973

Additional one-time payment revenues will also be realized as part of the development, these will be detailed further below.

**B. Municipal Service Costs**

Given the nature of the proposed development project, as will be seen by the analysis below, measurable impacts will be limited to a few key Town Departments including schools, police and fire, along with DPW. All onsite maintenance will be addressed by the property owner.

<sup>8</sup> These estimates are based on the current tax rate of \$18.14.

It should also be noted that in many instances, existing town residents will move into the new housing project and, given the fact that they already live in the community few new demands for services are created. This group could include recent graduates and those who wish to downsize and not leave the community. They may be replaced by individuals or families with service demands of their own.

## Department Impacts

### Police & Fire

The Police and Fire Departments will experience some increased demand for services from the proposed project. For fiscal year 2016 including benefits, the Police Department budget was \$3,453,879 and the Fire Department budget was \$3,457,737. To assess the degree of impact this project would have on these departments, comparable apartment complexes were analyzed. Three years of call data from both age and non-age restricted housing units was obtained and averaged to determine the annual numbers of calls per project and per unit. These ratios were then totaled to derive a total average call volume for all units, which was then used to generate projected emergency calls for each Department.

Extrapolating from the comparable call data, negligible increases are projected to the Town's Police and Fire Departments. Annual Police calls are projected to increase by 81 calls (.005% increase), annual fire/ambulance calls are projected to increase by 47 calls (.012%), creating minimal operational impacts; Table Six and Seven.

**Table Six  
Projected Police Calls**

Project	Town	Units	Total Police Calls Three Years	Avg. Call Per Year	Avg. Call Per Unit	Projected Yearly Calls	Age Restricted Calls	Total Projected Calls
The Lodge	Foxborough	250	222	74.00	0.296			
Union Place	Franklin	297	220	73.33	0.247			
Fairfield Green	Mansfield	200	437	145.67	0.728			
Pembroke Woods	Pembroke	240	277	92.33	0.385			
Blue Hills	Randolph	274	444	148.00	0.540			
Avalon Oaks	Wilmington	201	375	125.00	0.622			
Avalon Oaks Evergreen	Wilmington	120	301	100.33	0.836			
<b>Totals</b>		1582	2276	758.67	0.48			
<b>Baystone</b>		141				68	14	81
<b>Wood Partners</b>		137				66	15	80



**Table Seven  
Projected Fire & Ambulance Calls**

Project	Town	Units	Total Fire Calls Three Years	Avg. Call Per Year	Avg. Call Per Unit	Projected Yearly Calls	Age Restricted Calls	Total Projected Calls
The Lodge	Foxborough	250	79	26.33	0.105			
Union Place	Franklin	297	56	18.67	0.063			
Fairfield Green	Mansfield	200	128	42.67	0.213			
Pembroke Woods	Pembroke	240	26	8.67	0.036			
Blue Hills	Randolph	274	29	9.67	0.035			
Avalon Oaks	Wilmington	201	48	16.00	0.080			
Avalon Oaks Evergreen	Wilmington	120	19	6.33	0.053			
<b>Totals</b>		1582	385	128.33	<b>0.081</b>			
<b>Baystone</b>		141				<b>11</b>	<b>3</b>	<b>15</b>
<b>Wood Partners</b>		137				<b>11</b>	<b>4</b>	<b>15</b>
Project	Town	Units	Total Amb. Calls Three Years	Avg. Call Per Year	Avg. Call Per Unit	Projected Yearly Calls	Age Restricted Calls	Total Projected Calls
The Lodge	Foxborough	250	72	24.00	0.096			
Union Place	Franklin	297	132	44.00	0.148			
Fairfield Green	Mansfield	200	74	24.67	0.123			
Pembroke Woods	Pembroke	240	211	70.33	0.293			
Blue Hills	Randolph	274	83	27.67	0.101			
Avalon Oaks	Wilmington	201	87	29.00	0.144			
Avalon Oaks Evergreen	Wilmington	120	54	18.00	0.150			
<b>Totals</b>		1582	713	237.67	<b>0.150</b>			
<b>Baystone</b>		141				<b>21</b>	<b>11</b>	<b>32</b>
<b>Wood Partners</b>		137				<b>21</b>	<b>12</b>	<b>32</b>

A joint meeting was held with the Fire and Police Chiefs to discuss the project and gain an understanding of any concerns that may be present. The projected emergency call data was reviewed and discussed, along with potential budget impacts to the departments.

**Police Department**

The Police Chief was comfortable with the projected calls and did not believe it would lead to the need for additional personnel. However, the Chief did state that the increased call volume would further support the need for another officer position that he has been advocating for. The Chief noted that this project, along with others that have been approved in the community would, over time, lead to a strain on operations. The Chief



also noted that if the subject site is sold, the Department would have to travel out of town for officer target practice. Based on an internal analysis of this potential, they believe an increased annual cost of \$11,200 would occur to the Police Department.

To assign some cost as a result of the increased demand for services, a number of options were reviewed including cost per call and cost per capita. Since calls for service provides a clear measure of impact on the Department, this approach was used and results in an estimated annual impact of \$19,905. With this cost and the new cost associated with traveling out of town for target practice, the total cost impact is estimated to be \$31,105; Table Eight.

**Table Eight  
Police Department Impact**

<b>Department</b>	<b>FY 2017 Budget<sup>9</sup></b>	<b>Calls<sup>10</sup></b>	<b>Cost/call</b>	<b>Est. Calls</b>	<b>Annual Cost</b>
Police	\$3,453,879	14,055	\$245.74	81	\$19,905
Practice Range					\$11,200
<b>Total Cost</b>					<b>\$31,105</b>

**Fire Department**

The Fire Chief also supported the projected call estimates and thought they were reasonable. Although the Chief thought that the impact from the project alone would not necessitate the need for additional staff, he did note the same concern as the Police Chief that the accumulation of impacts from new development will lead to department impacts over time.

As with the Police Department, to account for some impact from the proposed development a cost per call ratio was used which provides an estimated annual cost of \$42,654; Table Nine.

**Table Nine**

<sup>9</sup> Includes benefit costs.

<sup>10</sup> 2015 Town Report call data, Police and Fire Departments.

**Fire Department Impact**

<b>Department</b>	<b>FY 2017 Budget</b>	<b>Calls Per Year</b>	<b>Cost/call</b>	<b>Est. Calls</b>	<b>Annual Cost</b>
Fire	\$3,457,737	3,810	\$907.54	47	\$42,654

The town does receive yearly income from ambulance calls and in 2015 collected \$616,865. Based upon the ambulance calls received in 2015, the average revenue per call was \$540. Based upon the estimate of 32 EMS calls per year, annual ambulance income is anticipated to be \$17,248; Table 10.

**Table 10  
Estimated Ambulance Revenue**

	<b>2015 Income</b>	<b>EMS Calls</b>	<b>\$/Calls</b>	<b>Est. EMS Calls</b>	<b>Est. EMS Income</b>
<b>Ambulance Income</b>	\$616,865	1,143	\$539	32	\$17,248

With this income taken into consideration, the net Fire Department impact will be \$25,406.

**Other Departments/Revenues:**

**Building**

Building Department costs were not included in this analysis because they are not permanent yearly impacts and will be offset by permit fees which will be \$15 per \$1,000 cost of construction. Depending on actual construction costs and any fee waivers granted for affordable units, building permit revenue will be at least \$400,000 for this project.

**Public Works**

All roads within the development will be private and maintained by the apartment complex operator. Solid waste will be handled by a private contractor with no expense occurring to the Town. However, given that the Department of Public Works will be losing a storage (laydown) area and as a result, an annual cost to the Departments will occur. In addition, a onetime cost of \$250,000<sup>11</sup> will occur to construct a new storage

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<sup>11</sup> River's Edge FAQ

area. This onetime cost will be for a 3/4 acre site which will be insufficient for DPW's storage needs.

In a memo dated November 17, 2016 the Board of Public Works estimates that an annual increase in the DPW budget will occur totaling \$161,500 in new operational and capital costs. Approximately \$90,000 will be to haul materials on site that should never have been stored there and are not considered a cost of the Rivers Edge project, but rather institution of a new and better environmental practice.

### **Senior Services**

A portion of this project will be age restricted but it is expected that many of the residents will still be working. It is not anticipated that this population will take advantage of senior service offered by the community, but to be conservative these costs will be estimated. The 2016 budget for the Council of Aging was \$251,276 and based upon recent Census data, approximately 4,593 residents are over the age of 55. This translates into a per capita cost of \$55 and results in an estimated annual cost impact of \$4,015 for the development (73 persons x \$55).

### **Other Departments**

It is not anticipated that measurable impacts will occur to other town departments and therefore no other costs were analyzed.

### **School Department**

The Town of Wayland Public Schools presently has an enrollment of 2,655 students housed in five schools (three elementary, one middle and high). The 2016 Public School budget was \$36,719,239 which is an increase of 4.3% over 2015 expenditures. In addition to reviewing the impacts from estimated new enrollments the School Department will have to find a new location for the storage of school buses that presently use the proposed project site.

## Enrollment History

Overall school enrollment has remained relatively stable over the last five years, declining 2.25% over this time period (-61 students); Table 11. Recent realignment in the elementary school levels explains the changes in enrollment trends at these grade levels. Elementary age children who reside at River's Edge will attend the Claypit Hill School.

**Table 11**  
**Enrollment Trends 2012-2016**

	2012	2013	2014	2015	2016	% Change
<b>Claypit Hill</b>	575	577	523	521	541	-5.91%
<b>Happy Hollow</b>	441	437	408	391	387	-12.24%
<b>Loker</b>	200	171	207	263	258	29.00%
<b>Middle</b>	640	663	670	644	638	-0.31%
<b>High</b>	860	842	851	838	831	-3.37%
<b>Total Enrollment</b>	2,716	2,690	2,659	2,657	2,655	-2.25%

Future enrollment projections show increased enrollment levels over the next four years, growing 3.6% by the school year 2020-2021 (+97 students).

## Projected School Enrollment Estimates

To gain an understanding of this community's potential school related fiscal impact, the anticipated number of school children that may be generated by the proposed development was analyzed. The two apartment complex options will have a mix of studio, one bedroom, two bedroom and three bedroom units. The studio and one bedroom units do not generate school children and our analysis looks at the impact from the two and three bedroom units. The Baystone project will include 67 two and three bedroom units and WP East will include 68 two bedroom units; Table 12.

**Table 12  
Bedroom Mix Breakdown**

<b>Baystone</b>		
<b>Market Rate</b>	<b># Units</b>	<b>Non -Age Restricted</b>
Studio	3	1
One Beds	72	54
Two Beds	64	48
Three Beds	2	2
<b>Affordable</b>		
Studio	2	1
One Beds	23	18
Two Beds	21	16
Three Beds	1	1
	<b>188</b>	<b>141</b>
<b>WP East</b>		
<b>Market Rate</b>	<b># Units</b>	<b>Non -Age Restricted</b>
One Beds	67	52
Two Beds	74	51
<b>Affordable</b>		
One Beds	22	17
Two Beds	25	17
	<b>188</b>	<b>137</b>

To estimate the number of school age children (SAC) that may live in the proposed apartment complex, the Consultant gathered information from a number of sources. The City of Newton has an extensive database on school children living in apartment complexes that contain affordable units. We believe this data is very conservative and will most likely represent a potential upper estimate of the number of children. Through research of over 1,300 suburban 40B apartment complexes Fougere Planning has gathered school generation data that is more representative for this location. By using both sources, a range of potential students is generated with an estimated school impact ranging from 21 to 31 students: Table 13. Based upon past analysis approximately 50% are generally elementary level students.



**Table 13  
School Enrollment Projections**

<b>Newton Schools SAC</b>	
Baystone Proposal	31 Students
WP West Proposal	28 Students

<b>FP &amp; D Data</b>	<b>Total Two/Three Bedroom Units</b>	<b>SAC Per Unit</b>	<b>Est. SAC</b>
Baystone	67	0.313	21
WP East	68	0.313	21

To fully understand current school operations, the Consultant arranged a meeting with School Superintendent Paul Stein to discuss the current state of the town’s school system and the proposed development project. The enrollment projections were discussed with the Superintendent and he felt comfortable with the methodology and school children estimates. Although school capacity presently is not an issue, the School District would be able more easily accommodated additional middle and high students than additional elementary level students.

Based upon the projected enrollments, the Superintendent was hesitant to estimate the potential impacts on the school system, not knowing with certainty what grade levels would be impacted. The elementary school level has specific grade level upper size limit targets and, if the new students increased the class size enough, another teacher may have to be hired. After further discussions, the Superintendent felt that carrying the cost for three teachers would cover the upper limit of potential costs to the School District. Considering average salary requirements and benefits, these three positions would total \$249,000 in cost.

As noted previously, if the site is sold a new location to store the 21 school buses and administrative office will have to be found. The Rivers Edge site was intended as only a temporary location for school buses. The Rivers Edge project makes it imperative to find a permanent home for the buses. The School Department contracted with an engineering firm and has identified locations that, for a one-time cost, may become the permanent school bus parking location for the town. As an alternative, it would cost an estimated \$240,000 annually to rent space to park the buses.

## FISCAL SUMMARY

Table 14 summarizes the fiscal impact from the two development projects, both of which are positive impact ranging from \$382,740 to \$566,938. With a portion of the apartments age restricted, the size of the positive impact finding is not unusual and will most likely be larger than stated. Aside from the DPW cost estimates for a laydown area and School Department cost to park school buses, the other department costs should be viewed as conservative expenses that may not actually be realized by the individual departments. The Consultant is not suggesting that budgets should be increased to offset the noted costs, but these findings should be viewed as potential costs and future budget increases will be addressed by town officials.

**Table 14  
Estimated Annual Fiscal Impact**

	<b>Baystone</b>	<b>WP East</b>
Gross Rev. Taxes, CPA & Car Registrations	+\$841,417	+\$1,022,973
Estimated Recurring Municipal Costs		
Police	-\$31,105	-\$31,105
Fire (net)	-\$25,406	-\$25,406
DPW	-\$161,500	-\$161,500
Senior Services	-\$4,015	-\$4,105
School Costs	-\$249,000	-\$249,000
Total Costs	-\$471,026	-\$471,026
Net Annual Positive Fiscal Impact	+\$370,391	+\$551,947

Recurring costs for DPW as a result of the loss of the laydown area are primarily for increased costs of road projects due to inability to store materials on-site. Onetime expenses from the sale of the DPW property will occur for the DPW Department, presently estimated to be \$250,000 along with a new school bus parking area; Table 15.

**Table 15  
One Time Expenses Estimates**

New DPW Laydown Area	\$250,000
New School Bus Parking Area	\$140,000 - \$600,000

**Table 16  
Comparison of Assumed One Time Revenue to One Time Costs**

Assumed One Time Revenue from sale of Property	+\$1,500,000
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<b>Assumed Building Permit Fees</b> <b>\$36,000,000 construction cost / \$1,000 X \$15 fee</b> <b>@ 75% for market rate housing</b>	<b>+ \$405,000</b>
<b>TOTAL ASSUMED ONE-TIME REVENUE</b>	<b>+\$1,905,000</b>
<b>Assumed Maximum Cost to Build Permanent</b> <b>School Bus Parking (This cost is not necessarily</b> <b>assumed to be attributable to the project)</b>	<b>-\$600,000</b>
<b>Assumed Cost to Build DPW ¼ acre Laydown</b> <b>Area</b>	<b>-\$250,000</b>
<b>TOTAL ASSUMED MAXIMUM ONE-TIME</b> <b>COSTS</b>	<b>-\$850,000</b>
<b><u>ASSUMED ONE-TIME REVENUE NET OF</u></b> <b><u>ONE-TIME COSTS</u></b>	<b>\$1,055,000</b>

### Summary of Findings

- Based on this analysis of recurring municipal revenue and expense for the project, both apartment projects have an annual positive fiscal impact, Baystone is estimated to be +\$370,391 and WP East +\$551,947.
- The net onetime purchase price is assumed to be at least \$1.5 million in revenue to the town, but will be unknown until the conclusion of a 90 day due diligence period during which site costs will be identified.
- The DPW will incur a onetime expense of \$250,000 to construct a new ¼ acre laydown area and will incur ongoing increased costs primarily for road construction projects. The laydown area will be insufficient to meet DPW's long term needs and future costs are unknown.
- It is expected there will be a one-time cost of \$140,000 to \$600,000 depending on location and surface to create permanent school bus parking. The schools have used Rivers Edge site as a temporary bus parking location. More information will follow this report.
- An estimated 21 to 31 school age children are anticipated to reside at River's Edge. The School Superintendent believes adequate facility capacity exists to accommodate these new students. The cost of three teachers is being assumed in this Report.
- A manageable increased emergency call volume will occur to emergency service departments. The Police Department did note that the increased calls will further support their need for an additional officer which has been advocated for in the past.
- Ninety eight of the apartment units will be age restricted (55+) and a minor increase in services may be seen for Senior Services.
- Limited measurable impacts are foreseen to other town departments and therefore increased costs were not forecasted.
- The analysis does not take into account the intangible and actual economic benefits of creating additional affordable and market rate housing.

# (7) ATM ARTICLES

**DATE:** JANUARY 23, 2017  
**TO:** BOARD OF SELECTMEN  
**FROM:** NAN BALMER, TOWN ADMINISTRATOR  
**RE:** ATM:  
1) WARRANT ARTICLE HEARING  
2) VOTE ON STANDARD TOWN MEETING ARTICLES

The Board will attend the Finance Committee's Warrant Article Hearing at 7:45 PM and vote on the "standard articles", A-L.

The updated article list is attached and will be distributed in hard copy at Monday's meeting so that you can make notations.

## ARTICLE LIST FOR 2017 ANNUAL TOWN MEETING

\* Asterisk indicates articles proposed for abbreviated presentation procedure

Article	2017 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	Recognize Citizens and Employees for Particular Service to the Town	Board of Selectmen	C. Karlson	D. Watkins		
B	Pay Previous Fiscal Year Unpaid Bills	Board of Selectmen	C. Karlson	D. Watkins		
C	Current Year Transfers	Board of Selectmen	C. Karlson	D. Watkins		
D	OPEB Funding	Finance Committee	C. Karlson	K. Shigley		
E	Personnel Bylaws and Wage & Classification Plan	Personnel Board	C. Karlson	D. Watkins		
F	Compensation for Town Clerk	Board of Selectmen	C. Karlson	C. Martin		
G	FY 2018 Omnibus Budget	Finance Committee	C. Karlson	D. Watkins C. Martin		
H	Rescind Authorized but Unissued Debt	Board of Selectmen	C. Karlson	D. Watkins		
I	Accept Gifts of Land	Board of Selectmen	C. Karlson	D. Watkins		
J	Hear Reports	Board of Selectmen	C. Karlson	D. Watkins		
K	Choose Town Officers	Board of Selectmen	C. Karlson	D. Watkins		
L	Sell or Trade Vehicles and Equipment	Board of Selectmen	C. Karlson	D. Watkins		



## ARTICLE LIST FOR 2017 ANNUAL TOWN MEETING

\* Asterisk indicates articles proposed for abbreviated presentation procedure

Article	2017 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
M	Town Clerk to Be Appointed Rather Than Elected	Board of Selectmen	L. Anderson	G. Cliff		
N	Revolving Fund Bylaw	Board of Selectmen	L. Jurist	C. Martin		
O	Licenses and Permits of Delinquent Taxpayers (Good Standing)	Board of Selectmen	L. Anderson	N. Funkhouser		
P	Authorize Local Voting Rights for Permanent Resident Aliens Residing in Wayland	Board of Selectmen	M. Antes	N. Funkhouser		
Q	Limited Site Plan Review – Exempt Uses	Planning Board	L. Anderson	K. Shigley		
R	Street Acceptance	Planning Board	L. Anderson	K. Shigley		
S	Preservation of Historically Significant Buildings Through Demolition Delay	Historical Commission	M. Antes	G. Uveges		
T	Non-Medical/Recreational Marijuana Moratorium – Zoning Bylaw Amendment	Youth Advisory Committee	L. Jurist	G. Uveges		
U	Appropriate Funds for Alternative Use of Town Building Library	Council on Aging	C. Karlson	G. Uveges		
V	Acceptance of Design for New Library and Approval and Authorization of Library Building Grant Application	Board of Library Trustees	J. Nolan	C. Martin		

## ARTICLE LIST FOR 2017 ANNUAL TOWN MEETING

\* Asterisk indicates articles proposed for abbreviated presentation procedure

Article	2017 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
W	Authorize Acquisition of an Access and Utility Easement at 89 Stonebridge Road	Board of Public Works	J. Nolan	G. Cliff		
X	Transfer Station Access Road Improvements	Board of Public Works	J. Nolan	G. Cliff		
Y	Community Preservation Fund General Budget – Set Asides and Transfers	Community Preservation Committee	M. Antes	J. Gorke		
Z	Appropriate Funds to Restore Mellen Law Office and Cochituate Town Clock	Community Preservation Committee	M. Antes	J. Gorke		
AA	Appropriate Funds to Hire a Housing Consultant	Community Preservation Committee	M. Antes	J. Gorke		
BB	Appropriate Funds to Construct Athletic Field at Oxbow Meadows	Community Preservation Committee	L. Jurist	G. Cliff		
CC	Appropriate Funds to Construct ADA Trails and Signs at Dudley Woods	Community Preservation Committee	L. Jurist	G. Cliff		
DD	Appropriate Funds to Restore/Replace Windows of First Wayland High School, Now Known as Bradford Hall	Community Preservation Committee	M. Antes	N. Funkhouser		
EE	Plastic Bag Reduction Bylaw	Petitioners	C. Karlson	J. Gorke		
FF	Polystyrene Food Container Bylaw	Petitioners	J. Nolan	J. Gorke		



## ARTICLES SUBMITTED FOR ADMISSION TO WARRANT FOR ANNUAL TOWN MEETING

April 2, 2017

The following articles were submitted for consideration for inclusion in the Warrant for the Annual Town Meeting to begin on Sunday, April 2, 2017. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

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

*Sponsored by: Board of Selectmen*

To determine whether the Town will recognize the achievements and contributions to Town government of citizens and employees:

1. To recognize citizens who have served in a volunteer capacity on elected and/or appointed boards, committees, and commissions for a minimum of 25 years (service need not be consecutive);
2. To recognize employees who have retired since the previous Annual Town Meeting or intend to retire prior to June 30, 2017, subject to a minimum of 20 years of service; and
3. To request Town Meeting observe a moment of silence in memory of elected or appointed volunteers, employees with at least 10 years of service, or an employee while in service to the Town without regard to tenure who shall have passed away since the adjournment of the 2016 Annual Town Meeting.

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### **ARTICLE B: PAY PREVIOUS FISCAL YEAR UNPAID BILLS**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to:

- (a) pay the bills of the prior fiscal years,
- (b) appropriate a sum of money for the payment of the foregoing bills of prior fiscal years; and
- (c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

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### **ARTICLE C: CURRENT YEAR TRANSFERS**

*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

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**ARTICLE D: OPEB FUNDING**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to:

a) authorize the transfer of funds from the following enterprise and revolving funds to the General Fund:

- 1) Food Service \$
- 2) Children’s Way \$

b) appropriate an aggregate amount of funds to be deposited in the Town’s Other Post-Employment Benefits Trust Fund which amount shall be provided by transferring the following sums of money from the enterprise and revolving funds:

- 1) Food Service \$
- 2) BASE \$
- 3) Children’s Way \$
- 4) Full Day Kindergarten \$
- 5) Water \$
- 6) Transfer Station \$
- 7) Recreation \$
- 8) Pegasus \$
- 9) Building Use \$
- 10) Enrichment \$ ; and

c) appropriate funds to be deposited in the Town’s Other Post-Employment Benefits Trust Fund; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose or otherwise.

**ARTICLE E: PERSONNEL BYLAWS AND WAGE AND CLASSIFICATION PLAN**

*Sponsored by: Personnel Board*

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan (Appendix TBD), previously adopted by the Town.

**ARTICLE F: COMPENSATION FOR TOWN CLERK**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to fix the salary and compensation of the elected Town Clerk, pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 2017, which salary and compensation is printed below.

**SALARY SCHEDULE – TOWN CLERK**

Town Clerk	<u>FY 2017</u> \$ 70,504	<u>FY 2018</u> TBD
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**ARTICLE G: FY 2018 OMNIBUS BUDGET**

*Proposed by: Board of Selectmen*

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes, and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

**ARTICLE H: RESCIND AUTHORIZED BUT UNISSUED DEBT**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to rescind the borrowings, authorized at the corresponding Town Meetings, that are deemed no longer necessary because the projects funded by the borrowings have been completed.

**ARTICLE I: ACCEPT GIFTS OF LAND**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, by devise, or otherwise.

**ARTICLE J: HEAR REPORTS**

*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees.

- Board of Assessors
- Community Preservation Committee
- Energy Initiatives Advisory Committee
- Youth Advisory Committee

**ARTICLE K: CHOOSE TOWN OFFICERS**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by official ballot

Trustees of the Allen Fund  
 Fence Viewers  
 Field Drivers  
 Measurers of Wood and Bark  
 Surveyors of Lumber

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

*Proposed by: Board of Selectmen*

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment, or other personal property.

**ARTICLE M:     TOWN CLERK TO BE APPOINTED RATHER THAN ELECTED**

*Proposed by: Board of Selectmen*

To determine whether the Town will vote pursuant to G.L. c. 41, §1B to change the position of elected Town Clerk to an appointed Town Clerk; provided however, that before such a change will take effect, it must be approved by the voters at the 201--- Annual Town Election, or take any other action related thereto.

**ARTICLE N:     REVOLVING FUND BYLAW**

*Proposed by: Board of Selectmen*

Revolving Funds (Part One)

To determine whether the Town will vote to amend Chapter 19 of the Town Code by inserting a new Section 10 entitled Revolving Funds, pursuant to the provisions of G.L. c.44, §53E½ as most recently amended by §86 of Chapter 218 of the Acts of 2016, establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows, or take any other action related thereto:

**§\_\_\_.     Revolving Funds.**

§\_\_\_. Pursuant to G.L. c. 44, §53E ½, as amended by Chapter 218 of the Acts of 2016 (the Municipal Modernization Act, so-called), there are hereby established the following Revolving Funds for the departments listed below which shall be credited with the receipts collected in connection with the stated programs and activities and which shall be expended by the authorized Town board, department or officer for the purposes of such programs and activities listed below:

	REVOLVING FUND	AUTHORITY TO SPEND FUND	REVENUE SOURCES	USE OF FUNDS
I	Transfer Station	DPW Director and Board of Public Works	Transfer Station fees for stickers, recycling, Pay as You Throw bags and miscellaneous related revenue	Personnel costs, hauling and tipping fees, equipment repairs and replacement, supplies, uniforms, fuel, indirect costs and miscellaneous related expenses for the operation of the Transfer Station.

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2	Recreation: Programs	Recreation Director and Commission	Recreation program and event user fees, sponsorships and miscellaneous related revenue (excluding beach and field / gym user fees)	Personnel costs, vendor payments, supplies, transportation, indirect costs and miscellaneous related expenses for recreation programs (excluding expenses for beach and fields / gym)
3.	Recreation: Fields and Gym	Recreation Director and Commission	Fees paid for the use of natural and turf fields and for use of the gym in Town Building	Expenses for the maintenance and improvement of natural and turf fields and Town Building gym, indirect costs.
4.	Recreation: Beach	Recreation Director and Commission	Fees paid for the use of natural and turf fields and for use of the gym in Town Building.	Expenses for the maintenance and improvement of the Town Beach, indirect costs.
5.	Council on Aging	Council on Aging Director and Council on Aging	Council on Aging program user fees, and miscellaneous related revenue	Vendor payments, supplies, transportation, indirect costs and miscellaneous related expenses for Council on Aging programs
6	School Department – Professional Development	School Business Manager and School Committee	Teachers’ user fees for training programs and miscellaneous related revenue	Training program costs, instructional fees and materials
7.	School Department – Curriculum	School Business Manager and School Committee	Departmental receipts from parents for materials	Instructional materials

§\_\_\_\_. All Revolving Funds are subject to the annual limitations on expenditure and established by Town Meeting.

**Revolving Funds (Part 2)**

To determine whether the Town will vote pursuant to G.L. c. 44, §53E ½, as amended by Chapter 218 of the Acts of 2016 (the Municipal Modernization Act, so-called), to set the following annual limitations on expenditures for revolving accounts authorized by bylaw for Fiscal Year 2018, or take any other action related thereto:

1. Transfer Station - \$-----
2. Recreation: Programs - \$-----
3. Recreation: Fields and Gym

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4. Recreation: Beach
5. Council on Aging - \$-----
6. School Department/Professional Development -----
7. School Department/Curriculum -----

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**ARTICLE O: LICENSES AND PERMITS OF DELINQUENT TAXPAYERS (GOOD STANDING)**

*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to accept the provisions of G.L. Chapter 40, Section 57, as amended by Sections 37 and 38 of Chapter 218 of the Acts of 2016 (the Municipal Modernization Act, so-called), and amend Chapter \_\_\_\_, of the Town Code, by adding a new Section \_\_\_\_ entitled Licenses and Permits of Delinquent Taxpayers, as follows, or take any other action related thereto:

**§ \_\_\_\_ . Licenses and Permits of Delinquent Taxpayers.**

**§ \_\_\_\_ . List of delinquent taxpayers.** The Treasurer/Collector or other municipal official responsible for the records of all Town of Wayland taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Treasurer/Collector, shall annually, and may periodically, furnish to each department, board, committee, commission or division, hereinafter referred to as the licensing authority, which issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

**§ \_\_\_\_ . Denial, Revocation or Suspension of License.** The licensing authority may deny, revoke or suspend any license or permit including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the Treasurer/Collector; provided, however, that written notice is given to the party and the Treasurer/Collector, as required by applicable provisions of the law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Treasurer/Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Treasurer/Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the Town of Wayland as of the date of issuance of said certificate.

**§ \_\_\_\_ . Payment agreements.** Any party shall be given an opportunity to enter into a payment

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agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

§ \_\_\_\_\_. **Waiver of denial.** The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property. This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes; section thirty-three of chapter one hundred and one; children work permits; section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses; section twenty-one E of chapter one hundred forty; dog licenses; section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping licenses; section twelve of chapter one hundred and thirty-one; marriage licenses; section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits; section one hundred and eighty-one of chapter one hundred and forty.

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**ARTICLE P:      AUTHORIZE LOCAL VOTING RIGHTS FOR PERMANENT RESIDENT ALIENS RESIDING IN WAYLAND**

*Sponsored by: Board of Selectmen*

To determine whether the Town will vote to instruct the Board of Selectmen to file with the legislature a request for a special act entitled, An Act authorizing local voting rights for permanent resident aliens residing in Wayland, as follows:

Section 1. Notwithstanding the provision of section one of chapter fifty-one of the General Laws, or any other general or special law, rule or regulation to the contrary, residents of the town of Wayland who are aliens lawfully admitted for permanent residence in the United States and who meet all qualifications for registering to vote except U.S. citizenship, may, upon application, have their names entered on a register of qualified permanent resident alien voters and may thereafter vote in any election for local offices, local ballot questions, and at Town Meeting.

Section 2. The Wayland Board of Selectmen is authorized to formulate regulations and guidelines to implement the purpose of this act.

Section 3. Nothing in this act shall be construed to confer upon permanent resident aliens the right to vote for any state or federal office or any state or federal ballot question.

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**ARTICLE Q: LIMITED SITE PLAN REVIEW – EXEMPT USES**

*Sponsored by: Planning Board*

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town’s Zoning Bylaw, by making the following revisions:

**SECTION ONE**

Strike Section 603.3 and replace it with the following:

*603.3*

Notwithstanding Section 601.2, *supra*, all proposed uses of land protected under G.L. c. 40A, §3 (i.e., agricultural, educational, religious, or child care uses) (“Section 3 Uses”) shall be subject to site plan review under Article 6, which shall be limited consistent with those statutory provisions. The purpose of this Section is to ensure that all such uses and facilities are reasonably regulated in regards to bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage.

*603.3.1*

In reviewing the site plan submittal for a Section 3 Use, the following issues shall be considered:

- (a) relationship of the bulk, height of structures, and adequacy of open spaces to the natural landscape, existing buildings and other community assets in the area, and compliance with other requirements of this Bylaw, which includes but is not limited to lot coverage, yard sizes, lot areas and setbacks.
- (b) physical layout of the structures, driveways, utilities and other infrastructure as it relates to the convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets, and when necessary, compliance with other requirements for the disabled, minors or the elderly;
- (c) adequacy of the arrangement of parking and loading areas in relation to the proposed use of the site; and
- (d) physical lighting of the site, including the methods of exterior lighting for convenience, safety and security within the site, and in consideration of impacts on neighboring properties and excessive light pollution.

*603.3.2*

Site plan review of a Section 3 Use site plan review shall be by the Planning Board (“Board”). In considering a site plan for a Section 3 Use, the Board shall consider whether the proposed uses are in harmony with the uses permitted in the underlying zoning district. Subject to the limitations of G.L. c. 40A, §3, the Board shall impose any such conditions, limitations, and safeguards as it deems

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appropriate to protect the interests of, and consistent with, the planning objectives for the underlying zoning district. The Board shall file its written decision with the Town Clerk within ninety (90) days of receipt of an application, unless such time is extended by agreement of the applicant.

**SECTION TWO**

In Section 802, Table of Permitted Uses, change the designation for Line 16, "Agriculture," under the column "Site Plan Review," to "R" with a footnote to read as follows: "Site plan review of principal agricultural uses shall be limited as set forth under Section 198-603.3 of this Zoning Bylaw."

**SECTION THREE**

In Section 802, Table of Permitted Uses, amend footnote "1" to read as follows: "Site plan review shall be limited as set forth under Section 198-603.3 of this Zoning Bylaw."

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**ARTICLE R: STREET ACCEPTANCE**

*Sponsored by: Planning Board*

To determine whether the Town will vote to accept as town ways the following streets laid out by the Board of Road Commissioners, Department of Public Works, Board of Selectmen:

- Summer Lane
- Dylan Circle
- Spencer Circle

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**ARTICLE S: PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS THROUGH DEMOLITION DELAY**

*Sponsored by: Historical Commission*

To determine whether the Town will vote to amend the General Bylaws of the Town of Wayland to include:

**PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS THROUGH DEMOLITION DELAY**

**SECTION 1 INTENT AND PURPOSE**

This by-law is enacted for the purpose of preserving and protecting significant buildings within the Town which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the town and to limit the detrimental effect of demolition on the character of the town. Through this bylaw, residents of the town are alerted to impending demolitions of significant buildings and owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods, this bylaw promotes the public welfare by making the town a more attractive and desirable place in which to live and work. To achieve these purposes the Historical Commission is authorized to advise the Building Commissioner with respect to demolition

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permit applications. The issuance of demolition permits is regulated as provided by this bylaw. This bylaw applies only to the exteriors of buildings and structures.

## **SECTION 2 DEFINITIONS**

**APPLICANT**-Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

**APPLICATION**-An application for the demolition of a building.

**BUILDING**-Any combination of materials forming a shelter for persons, animals, or property.

**BUILDING COMMISSIONER** - The person occupying the office of Building Commissioner or otherwise authorized to issue demolition permits.

**COMMISSION** – The Wayland Historical Commission or its designee.

**DEMOLITION**-Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

**DEMOLITION PERMIT** - The building permit issued by the Building Commissioner for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

**PREFERABLY PRESERVED** - Any significant building which the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished. A preferably preserved building is subject to the twelve month demolition delay period of this bylaw.

**SIGNIFICANT BUILDING** – Any building within the town which is in whole or in part one hundred or more years old and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

- The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth; or
- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

## **SECTION 3 PROCEDURE**

No demolition permit for a building which is in whole or in part one hundred or more years old shall be issued without following the provisions of this bylaw. If a building is of unknown age, it shall be assumed that the building is over 100 years old for the purposes of this bylaw.

An applicant proposing to demolish a building subject to this bylaw shall file with the Building Commissioner an application containing the following information:

- The address of the building to be demolished.
- The owner's name, address, e-mail address and telephone number.
- A description of the building.
- The reason for requesting a demolition permit.
- A brief description of the proposed reuse, reconstruction or replacement.
- A photograph or photograph(s) of the building.

The Building Commissioner shall within seven days forward a copy of the application to the

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Commission. The Commission shall within twenty-one days after receipt of the application, make a written determination of whether the building is significant.

Upon determination by the Commission that the building is not significant, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.

Upon determination by the Commission that the building is significant, the Commission shall so notify the Building Commissioner and the applicant in writing. No demolition permit may be issued at this time. If the Commission does not notify the Building Commissioner within twenty-one days of receipt of the application, the Building Commissioner may proceed to issue the demolition permit.

If the Commission finds that the building is significant, it shall hold a public hearing within thirty days of the written notification to the Building Commissioner. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in town hall for a period of not less than seven days prior to the date of said hearing and the applicant and the building inspector and abutters within 200 feet shall be notified in writing of the meeting time and place.

The Commission shall decide at the public hearing or within fourteen days after the public hearing whether the building should be preferably preserved or if agreed to in writing by the applicant, the determination of the Commission may be postponed.

If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.

If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Commissioner and applicant in writing. No more than seventy-five days shall transpire from submittal of application to determination of preferably preserved. No demolition permit may then be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Commissioner in writing within fourteen days of the public hearing, the Building Commissioner may issue the demolition permit.

Upon a determination by the Commission that a building is preferably preserved, no building permit for new construction or alterations to the subject building shall be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission.

No permit for demolition of a building determined to be a preferably preserved building shall be granted until all plans for future use and development of the site have been filed with the Building Commissioner and have been found to comply with all laws pertaining to the issuance of a building permit or if for a parking lot, a certificate of occupancy for that site. All approvals necessary for the issuance of such building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section. The Building Commissioner may issue a demolition permit or a building permit for a preferably

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preserved building within the twelve months if the Commission notifies the Building Commissioner in writing that the Commission finds that the intent and purpose of this bylaw is served even with the issuance of the demolition permit or the building permit.

Following the twelve month delay period, the Building Commissioner may issue the demolition permit.

**SECTION 4 ADMINISTRATION**

The Commission may adopt such rules and regulations as are necessary to administer the terms of this bylaw. The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

**SECTION 5 EMERGENCY DEMOLITION**

If after an inspection, the Building Commissioner finds that a building subject to this bylaw is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building, then the Building Commissioner may issue an emergency demolition permit to the owner of the building. The Building Commissioner shall then prepare a report documenting the condition of the building and the basis for his decision which shall be forwarded to the Commission within fourteen days.

**SECTION 6 ENFORCEMENT AND REMEDIES**

The Building Commissioner is specifically authorized to institute any and all actions and proceedings, in law or equity, as it may deem necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent an imminent violation thereof.

Any owner of a building subject to this bylaw that demolished the building without first obtaining a demolition permit in accordance with the provisions of this bylaw shall be subject to a fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.

If a building subject to this bylaw is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of five years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.

**SECTION 7 SEVERABILITY**

In case any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

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**ARTICLE T: NON-MEDICAL/RECREATIONAL MARIJUANA MORATORIUM – ZONING BYLAW AMENDMENT**

*Sponsored by: Youth Advisory Committee*

To determine whether the Town will vote to amend Chapter 198 of the Town Code, the Town’s Zoning Bylaw, (I ADDED THIS BASED ON THE SAMPLE WE WERE GIVEN) by making the following revision by adding a new Section\_\_\_\_\_, entitled Temporary Moratorium On Non-Medical/ Recreational Marijuana Establishments and further to amend the Table of Contents to add Section \_\_\_\_, “Temporary Moratorium on Non-Medical/Recreational Marijuana Establishments” as follows, or take any other action related thereto:

**Section One Purpose**

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes. The law, which allows certain personal use and possession of marijuana, begins to take effect on December 15, 2016 and as amended on December 30, 2016 via Chapter 351 of the Acts of 2016, requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Currently, a Non-Medical or Recreational Marijuana Establishment (hereafter, a “Recreational Marijuana Establishment”), as defined in G.L. c. 940, §I, is not specifically addressed in the Town’s Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Non-Medical/Recreational Marijuana Establishments so as to allow the Town sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

**Section \_\_\_\_. Definition**

“Non-Medical/Recreational Marijuana establishment” shall mean a “marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.”

**Section \_\_\_\_ .Temporary Moratorium**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Non-Medical/Recreational Marijuana Establishment and other uses related to non-medical/recreational marijuana. The moratorium shall be in effect through January 1, 2019 or six months from the date that final regulations are issued by the Cannabis Control Commission, whichever date is later. During the moratorium period, the Town shall undertake a planning process

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to address the potential impacts of non-medical/recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

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**ARTICLE U: APPROPRIATE FUNDS FOR ALTERNATIVE USE OF TOWN  
BUILDING LIBRARY**

*Sponsored by: Council on Aging*

*Estimated Cost: \$95,000*

To determine whether the Town will vote to appropriate a sum not to exceed \$95,000 to study the feasibility of adapting the library building to serve as an alternative municipal occupant, contingent on the Wayland library's receipt of a **Massachusetts Public Library Construction Program (MPLCP)** grant to build a new library at another site, or being placed on a waiting list for such designation in future rounds. Said sum shall be expended under the direction of the Board of Selectmen for the purpose of studying the potential cost of altering the existing library building and parking lot for reuse as another municipal use. To meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow \$95,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefor aggregating not more than \$95,000 in principal amount and that the Town Administrator with the approval by the voters of the Town of Wayland is authorized to take any action necessary to carry out this program.

The design scope shall include a study of various alternative renovations to the existing building and expansion as needed, as well as related site development including the potential acquisition of adjacent property. The design will determine the maximum capacity of building area for that site, with engineering confirmation that wastewater capacity is available and sufficient for that size building and for proposed alternative uses. The current library building is approximately 14,025 sq. ft. The results of this study will allow citizens to make a more informed comparison of potential benefits and related costs that this site would offer should the Town decide to keep the building for municipal use.

No funds allocated under this Article shall be expended until Massachusetts Public Library Construction Program (MPLCP) announces the results of the current grant application process. An announcement is expected in July 2017. However, the Board of Selectmen may choose to explore alternatives for improving the building if the library is to remain at that location, using these funds.

In addition, to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing in compliance with Massachusetts General Law Chapter 44 or other enabling authority, or otherwise, and to authorize the Town Administrator with the approval by the voters of the Town of Wayland to take any action necessary to carry out this program.

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**ARTICLE V: ACCEPTANCE OF DESIGN FOR NEW LIBRARY AND APPROVAL AND AUTHORIZATION OF LIBRARY BUILDING GRANT APPLICATION**

*Sponsored by: Board of Library Trustees*

To determine whether the Town will vote to:

- a.) accept the preliminary design for the construction of a new library at 195 Main Street as recommended by the Board of Library Trustees, the Library Planning Committee, and the Permanent Municipal Building Committee; and
- b.) authorize the Board of Selectmen and/or the Board of Library Trustees to apply for, accept, and expend, without further appropriation, but with the approval of the Permanent Municipal Building Committee, any state funds that may be available to defray all or part of the cost of the design, construction, and equipping of the new library building, including, but not limited to, a public library construction grant from the Massachusetts Board of Library Commissioners.

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**ARTICLE W: AUTHORIZE ACQUISITION OF ACCESS AND UTILITY EASEMENT AT 89 STONEBRIDGE ROAD**

*Sponsored by: Board of Public Works*

To determine whether the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen deems appropriate, an access and utility easement on property commonly known as 89 Stonebridge Road, identified as Tax Map 37, Lot 32A, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 62732, Page 282, said easement shown on a plan entitled "Plan of Land in Wayland, Massachusetts 89 Stonebridge Road Habitat for Humanity," dated December 5, 2016, on file with the Town Clerk, and further to authorize the Board of Selectmen to execute any and all documents as may be necessary or convenient in relation thereto.

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**ARTICLE X: TRANSFER STATION ACCESS ROAD IMPROVEMENTS**

*Sponsored by: Board of Public Works*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Public Works to rehabilitate access way connecting Route 20 to the existing Solid Waste Transfer Station; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing under Massachusetts General Laws Chapter 44 or other enabling authority, or otherwise, provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitation on taxes imposed by Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 and 1/2, so called).

This project will resurface the existing roadway and make environmental improvements to increase the

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site's ability to hold flood waters, create wetland resource areas, improve habitat by creating wildlife crossings, and restore the Sandy Hill Area of the site.

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**ARTICLE Y: COMMUNITY PRESERVATION FUND GENERAL BUDGET –  
SET ASIDES AND TRANSFERS**

*Sponsored by: Community Preservation Committee*

To determine:

- a.) whether the Town will vote to set aside from the Community Preservation Fund's Uncommitted Fund for later spending:
  - i.) \$89,019 for open space, but not including land for recreational use, \$89,019 for historic resources, and \$89,019 for community housing pursuant to Massachusetts General Laws Chapter 44B, Section 6 for FY 2016; and
  - ii.) \$10,000 for administrative expenses; and
  - iii.) \$411,111 for FY'18 debt service obligations from prior town meeting approval for the purchase of conservation restriction on Mainstone Farm.
  
- b.) whether the Town will vote to transfer funds in the amount of \$89,019 from the Community Housing Fund of the Community Preservation Fund to the Wayland Municipal Affordable Housing Trust Fund (WMAHTF).

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**ARTICLE Z: APPROPRIATE FUNDS TO RESTORE MELLEN LAW OFFICE  
AND COCHITUATE TOWN CLOCK**

*Sponsored by: Community Preservation Committee*

To determine whether the Town will vote to:

- a) appropriate a sum of money:
  - i) up to \$30,000 to be expended to restore/preserve the Mellen Law Office, a town-owned building at 35 Cochituate Road in Wayland Center; and
  - ii) up to \$30,200 to be expended to restore faces of the Cochituate Town Clock at 80 Main Street.
  
- b) determine whether said appropriations shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than:
  - i) \$30,000 of the funds so appropriated for the Mellen Law Office shall be transferred from the Community Preservation Fund's Historic Preservation Fund; and
  - ii) \$30,200 of the funds so appropriated for the Cochituate Town Clock shall be transferred from the Community Preservation Fund's Historic Preservation Fund.

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**ARTICLE AA: APPROPRIATE FUNDS TO HIRE A HOUSING CONSULTANT**

*Sponsored by: Community Preservation Committee*

To determine whether the Town will vote to:

- a.) appropriate a sum of money up to \$20,000 to be expended by the Town of Wayland to hire a Housing Consultant to assist with affordable housing issues; and
- b.) determine whether said appropriation shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than \$20,000 of the funds so appropriated shall be transferred from the Community Preservation Fund’s Uncommitted Fund for Community Housing use.

**ARTICLE BB: APPROPRIATE FUNDS TO CONSTRUCT ATHLETIC FIELD AT OXBOW MEADOWS**

*Sponsored by: Community Preservation Committee*

To determine whether the Town will vote to:

- a) appropriate a sum of money up to \$300,000 to be expended by the Wayland Recreation Commission to construct one full size athletic field with parking at Oxbow Meadows, Oxbow Road; and
- b) determine whether said appropriation shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than \$300,000 of the funds so appropriated shall be transferred from the Community Preservation Fund’s Uncommitted Fund for Recreational use.

**ARTICLE CC: APPROPRIATE FUNDS TO CONSTRUCT ADA TRAILS AND SIGNS AT DUDLEY WOODS**

*Sponsored by: Community Preservation Committee*

To determine whether the Town will vote to:

- a) appropriate a sum of money up to \$50,000 to be expended to construct ADA accessible trails at Dudley Woods a 7-acre parcel near Dudley Pond; and
- b) determine whether said appropriation shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than \$50,000 of the funds so appropriated shall be transferred from the Community Preservation Fund’s Uncommitted Fund for Recreational use.

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**ARTICLE DD: APPROPRIATE FUNDS TO RESTORE/REPLACE WINDOWS OF FIRST WAYLAND HIGH SCHOOL, NOW KNOWN AS BRADFORD HALL**

*Sponsored by: Community Preservation Committee*

To determine whether the Town will vote to:

- a) appropriate a sum of money up to \$80,000 to be expended to preserve restore/replace the windows of the first Wayland High School, now known as Bradford Hall, 53 Cochituate Road; and
- b) determine whether said appropriation shall be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than \$50,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Historic Preservation Fund and \$30,000 of the funds so appropriated shall be transferred from the Community Preservation Fund's Uncommitted Fund.

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**ARTICLE EE: PLASTIC BAG REDUCTION BYLAW**

*Sponsored by: Petitioners*

To determine whether the Town will vote to amend the Town Bylaws by adding a Bylaw for the elimination of single use plastic checkout bags, as follows:

**Section 1. Purpose and Intent**

The production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to: contributing to the potential death of aquatic and land animals through ingestion and entanglement; contributing to pollution of the natural environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture. The purpose of this bylaw is to protect the Town's unique natural beauty and its water and natural resources by eliminating single-use plastic checkout bags that are distributed in the Town of Wayland and to promote the use of reusable bags.

**Section 2. Definitions**

2.1 *Checkout bag* means a carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the store.

2.2 *Grocery Store* means a retail establishment where more than fifty percent (50%) of the gross floor area is devoted to the sale of food products for home preparation and consumption, which typically also offers home care and personal care products.

2.3 *Retail Store* means any business facility that sells goods directly to the consumer whether for or not for profit, including, but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

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2.4 *Reusable checkout bag* means a bag with handles that is specifically designed and manufactured for multiple reuse and is either polyester, polypropylene, cotton or other durable material, or durable plastic that is at least 4.0 Mills in thickness.

2.5 *Thin-film single-use plastic bags* are those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness.

2.6 *Recyclable paper bag* means a paper bag that is 100 percent recyclable and contains at least 40% post-consumer recycled content, and displays the words “recyclable” and “made from 40% post-consumer recycled content” in a visible manner on the outside of the bag.

2.7 This bylaw shall be known as the *Plastic Bag Reduction Bylaw*.

### **Section 3. Use Regulations**

3.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail store or grocery store within the Town of Wayland.

3.2 If a retail store provides or sells checkout bags to customers, the bags must be one of the following (1) recyclable paper bags, or (2) reusable checkout bags.

3.3 Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible.

### **Section 4. Effective Date**

This bylaw shall take effect six (6) months following approval of the bylaw by the Attorney General or January 1, 2018, whichever is later. Upon application of the owner or the owner’s representative, the Board of Public Works may exempt a retail store from the requirements of this section for a period of up to six (6) months upon a finding by the Board of Public Works that (1) the requirements of this section would cause undue hardship; or (2) a retail store requires additional time in order to draw down an existing inventory of checkout bags.

### **Section 5. Enforcement**

5.1 Enforcement of this bylaw shall be the responsibility of the Board of Public Works. The Board of Public Works shall determine the monitoring process to be followed, which may be limited to responding to citizen reports, incorporating the process into other town duties as appropriate.

5.2 Any retail or grocery store distributing plastic checkout bags in violation of this bylaw shall be subject to a non-criminal disposition fine as specified in Section 2-2 of the bylaws, Noncriminal disposition of violations; enforcement. Any such fines shall be paid to the Town of Wayland.

5.3 Section 2-2 is amended to add a new section as follows:

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Violation of the Plastic Bag Reduction Bylaw

- (1) Penalty: 1<sup>st</sup> offense – Warning;  
2<sup>nd</sup> offense - \$50 per day; 3<sup>rd</sup> and each subsequent offense - \$100 per day.
- (2) Enforcing persons: Board of Public Works

**Section 6. Severability**

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.

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**ARTICLE FF: POLYSTYRENE FOOD CONTAINER BYLAW**

*Sponsored by: Petitioners*

To determine whether the Town will vote to amend the Town Bylaws by adding a Bylaw for the reduction of polystyrene use, as follows:

**Section 1. Purpose and Intent**

Polystyrene contains dangerous substances which when heated release toxic chemicals that may be carcinogenic. Eliminating polystyrene food and beverage containers is in the best interest of the health and welfare of the inhabitants of the Town of Wayland. Expanded polystyrene food containers form a significant portion of the solid waste going into our landfills. Polystyrene is not biodegradable; once buried in a landfill it will remain there for centuries.

**Section 2. Definitions**

- 1. *“Disposable Food Service Container”* means single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, trays and hinged or lidded containers. This definition includes single-use disposable items such as straws, cup lids, or utensils.
- 2. *“Food Establishment”* means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption. Food Establishment shall include any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, private, public or non-profit, routinely serving the public; or any other eating and drinking establishment or place in which food or drink is prepared for sale or for service to the public on the premises or elsewhere. School cafeterias are included in this ordinance.
- 3. *“Polystyrene”* means and includes blown polystyrene and expanded and extruded foams (sometimes called “Styrofoam,” a Dow Chemical Co. trademarked form of EPS insulation) also referred to as expanded polystyrene (EPS), which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene); and in this bylaw is referenced as “Foam Polystyrene.” Foam Polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons. The term also means and includes clear or solid polystyrene which is also known as “oriented,” and referenced in this bylaw as “Rigid

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Polystyrene.” “Rigid Polystyrene” is generally used to make clear clamshell containers, and clear or colored straws, lids and utensils.

4. “*Prepared Food*” means any food or beverage prepared on the Food Establishment’s premises for consumption on the premises or elsewhere, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.
5. This bylaw shall be known as the *Polystyrene Food Container Bylaw*.

### **Section 3. Use Regulations**

Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service Containers made from Polystyrene.

### **Section 4. Effective Date**

This bylaw shall take effect six (6) months following approval of the bylaw by the Attorney General or January 1, 2018, whichever is later. Upon application of the owner or the owner’s representative, the Board of Health may exempt a food establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Board of Health that (1) the requirements of this section would cause undue hardship; or (2) a food establishment requires additional time in order to draw down an existing inventory of polystyrene disposable food service containers.

### **Section 5. Enforcement**

5.1 Enforcement of this bylaw shall be the responsibility of the Board of Health. The Board of Health shall determine the monitoring process to be followed, which may be limited to responding to citizen reports, and/or incorporating inspections into existing food establishment inspections.

5.2 Any food establishment in violation of this bylaw shall be subject to a non-criminal disposition fine as specified in Section 2-2 of the bylaws, Noncriminal disposition of violations; enforcement. Any such fines shall be paid to the Town of Wayland.

5.3 Section 2-2 is amended to add a new section as follows:

Violation of the Polystyrene Food Container Bylaw.

- (1) Penalty: 1<sup>st</sup> offense – Warning;  
2<sup>nd</sup> offense - \$50 per day; 3<sup>rd</sup> and each subsequent offense - \$100 per day.
- (2) Enforcing persons: Board of Health

### **Section 6. Severability**

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.

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# 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 M. JURIST  
CHERRY C. KARLSON  
JOSEPH F. NOLAN

**Board of Selectmen  
Meeting Minutes  
January 9, 2017  
Wayland Town Building, Selectmen's Meeting Room  
41 Cochituate Road, Wayland**

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

**A1. Call to Order by Chair** Chair C. Karlson called the meeting of the Board of Selectmen to order at 7:02 p.m. in the Selectmen's Meeting Room of the Wayland Town Building and noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM.

M. Antes announced that there will be a public records training on Wednesday.

**A2. Public Comment** Kara Harvey, Wayland Business Association board member, announced she was picked as the liaison to the town and will be attending Board of Selectmen meetings.

G. Dresens, 155 Main St., requested that the Board revoke the 150 main street permit until it can fully comply with the town's bylaws.

L. Segal, Aqueduct Road, passed out a newspaper article to the Board about the outreach for the listening sessions. She stated that while having a dialogue with the public is great, she has concerns about its timing. She also stated that it didn't reach all of the media outlets.

Z. Peirce, Treasurer/Collector, discussed the town's recent change of online banking services. She stated that the switch to City Hall Solutions helps the town go in the right direction to being as automated as possible.

L. Hanson, Conservation Administrator, explained the request in the Board's packet for a wetlands deed restriction, instead of a conservation restriction, at 6 Brooktrail Road. There were no questions from the Board.

D. Hill, Chair of the Planning Board, discussed the Planning Board's approach for fixing the zoning bylaw. He stated they will continue to tackle the bylaw issue by issue instead of a full overhaul of the bylaw.

**A3. Petitioners Workshop for 2017 Annual Town Meeting**

N. Balmer explained the process for the Petitioners Workshop. C. Karlson reminded everyone that the Town Meeting schedule is online and in the Board's packet and it includes all of the deadlines.

Paul Dale, 12 Grace Road, discussed two possible articles (banning single use plastic checkout bags from retail stores and disallowing polystyrene containers for take-out food at restaurants). He had two questions for the Board about the process. He asked about the word limit for the article write-up and access to Town Counsel before he files it. N. Balmer stated that Town Counsel will be available this week and for P. Dale to follow up with her.



**A4. Vote to Submit the Following Warrant Articles:** 1. – 12. Standard Articles

The Board discussed the Standard Warrant Articles. J. Nolan moved, seconded by M. Antes, to submit the standard articles as listed except for number 7. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board discussed other potential Board of Selectmen articles.

15. Create Appointed Rather than Elected Town Clerk Position
16. Revolving Fund Bylaw
17. Amend By-Law To Require Taxpayers To Be In Good Standing As Condition Of Application For Licenses and Permits
18. Allow Resident Aliens To Vote At Town Meeting
19. Clarification of By-Law Allowing Non-Resident Town Officials to Speak at Town Meeting

J. Nolan moved, seconded by L. Anderson, to submit articles 15-18 to the Annual Town Meeting, YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A5. Vote to Authorize Subcommittee and Appoint Mary Antes and Lea Anderson to Conduct Listening Session with Residents, and Approve Letters and Press Release** N. Balmer read her memo from the packet. She said that Town Counsel advised that this subcommittee would have to comply with the Open Meeting Law. The Board discussed possible locations for the meetings, how the meetings would be announced and how residents would be randomly selected to receive invitations. L. Jurist stated that he thinks the only people who are going to show up are the same people who come to meetings now.

J. Nolan moved, seconded by L. Jurist, to create the Board of Selectmen Listening Session Subcommittee to conduct listening sessions with residents. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

L. Jurist moved, seconded by J. Nolan to appoint L. Anderson and M. Antes to serve on the subcommittee. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A6. Vote to Approve FY18 Town Administrator Goals** N. Balmer explained that developed goals come from comments made by the Board in December. L. Jurist questioned whether goal number 1 is too narrowly focused. J. Nolan suggested editing the first goal.

J. Nolan moved, seconded by M. Antes, to accept the Town Administrators FY18 Goals as amended per discussion. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A7. Minutes: Review and Vote to Approve Minutes of December 12, 2016, and December 19, 2016** J. Nolan moved, seconded by L. Jurist, to approve the minutes of December 12, 2016, and December 19, 2016, as amended. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**A8. Report of the Town Administrator** N. Balmer stated that the Board will receive full packets next week for budgets, positions, and the Personnel Board's comments on new positions. She discussed the Public



Records training on January 11 and an update from the new DPW Director. L. Jurist asked about the Rivers Edge project schedule.

**A9. Review and Approve Consent Calendar (See Separate Sheet)** M. Antes moved, seconded by L. Anderson, 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.

**A10. Review Correspondence (See Separate Index Sheet)** The Board reviewed the week's correspondence. M. Antes congratulated Sgt. S. Gibbons. C. Karlson discussed setting up a time for Town Counsel to come in and talk to the Board directly about what their role is regarding 150 Main St. The Board thanked Linda Segal for her work on the PIP related to the Raytheon property.

**A11. Selectmen's Reports and Concerns**

L. Anderson stated that she had received another complaint about the time it takes for the sidewalks to be cleared of snow. M. Antes mentioned she got an email from a resident about how communities address climate change. C. Karlson told N. Balmer she would like the Moderator's Hearing date finalized and would like to follow up on the letters that were sent to MassHousing.

**A12. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any**  
The Chair said, "I know of none."

**A13. Enter into Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect to Litigation if an Open Meeting may have a Detrimental Effect on the Litigating Position of the Public Body and the Chair so Declares and Specifically, to Discuss Whether the Town Should Pursue Legal Proceedings with Respect to the Town's Agreement with Twenty Wayland, LLC, Relative to Property and Development Located Off 400-440 Boston Post Road, and the Chair Declares that an Open Session may have a Detrimental Effect on the Town's Litigating Position** C. Karlson moved, seconded by L. Anderson, that the Board of Selectmen enter into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares and specifically, to discuss whether the Town should pursue legal proceedings with respect to the Town's agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating 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. The Board will reconvene in open session for the sole purpose of adjourning in approximately twenty minutes.

The Board returned to open session at 8:59 p.m.

**A14. Adjourn** There being no further business before the Board, L. Anderson moved, seconded by M. Antes, to adjourn the meeting of the Board of Selectmen at 9:00 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, J. Nolan. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the Meeting of January 9, 2017**

1. Memorandum of 12/20/16 from John Senchyshyn, Assistant Town Administrator/Human Resources Director, to Finance Committee, Board of Selectmen, and Nan Balmer, Town Administrator, re: FY18 Staffing Requests
2. Email of 12/29/16 from Ben Keefe, Facilities Director, to Nan Balmer, Town Administrator, re: Facilities Capital Requests FY18
3. Massachusetts Municipal Association Annual Business Meeting Information, 1/3/17, at Hynes Convention Center in Boston on January 21, 2017
4. Board of Selectmen Listening Session Subcommittee Purpose, 1/9/17
5. Memorandum of 1/9/17 from Sarkis Sarkisian, Town Planner, to Nan Balmer, Town Administrator, re: Wayland Zoning Bylaw Revisions

**Items Included as Part of Agenda Packet for Discussion During the January 9, 2017 Board of Selectmen's Meeting**

1. Articles to be Submitted to the 2017 Annual Town Meeting
2. Draft Minutes of December 12, 2016, and December 19, 2016
3. Report of the Town Administrator for the Week Ending January 6, 2017



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, January 23, 2017**  
**Selectmen's Meeting Room**  
**Wayland Town Building**  
**41 Cochituate Road Wayland**

## REVISED 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 Winter Farmers' Market at Russell's Garden Center, 397 Boston Post Road, for 1634 Meadery, Dan Clapp, Manager, on Saturday, February 4 and February 11, 2017, from 10:00 a.m. to 2:00 p.m.
3. Vote the Question of Approving the Placement of One Temporary Sandwich Board Sign for the WPSF Annual Spelling Bee from February 6-13, 2017, at the Intersection of Old Connecticut Path and Routes 126 and 27

# 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



CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

MATTHEW A. BEATON  
Secretary

JOHN LEBEAUX  
Commissioner

December 15, 2016

Robert Russell  
Westport Rivers Inc.  
417 Hix Bridge Rd.  
Westport MA 02790

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

Dear Mr. Russell:

Please be advised that your application for certification of the Wayland Winter Farmers' Market, on Saturdays from January 7<sup>th</sup> to March 11<sup>th</sup> 2017 from 10:00 am to 2:00 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

Application Checklist

Reviewers, please complete with comments, if there are missing elements on application

- 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

---

- Plan depicting the premises and specific location where sale of wine will occur.

*Do we know specific location*

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- Approval Letter from event management including day, month and year of event.

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- Other:

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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 the  
Agricultural Event Certification Program, 251 Causeway Street, Suite 500, Boston, MA 02114

1. Applicant Information					
Name of Licensed Farm-Winery	Westport Rivers Inc				
Farm-Winery License Number	FW 19	State of Issue	MA		
Contact Person	Rob Russell				
Address	417 Hix Bridge Rd				
City	Westport	State	MA	Zip	02790
Phone Number	978 5094484	Email	Rob@WestportRivers.com		
Name of Agricultural Event (Please attach Approval Letter from event management as required by M.G.L. c. 138, Section 15F)					

2. Event Information					
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
Name of Event	Wayland Winter Farmers' Market				
Event Address	397 Boston Post Road				
City	Wayland	State	MA	Zip	01778
Event Phone Number	508-358-2283	Event Website	http://www.russellgardencenter.com/html/winterfarmersMarket.html		
Primary Contact for Event Peg Mallett					
Contact Address 397 Boston Post Road					
City	Wayland	State	MA	Zip	01778
Phone Number	508-358-2283 ext.336	Email	mallettpeg@gmail.com		

3. Event Description	
What are the date(s) and time(s) of the event?	January 7 - March 11, 2017, 10AM-2PM
Is this an annual event?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
How does this event promote local agriculture? The Market provides a venue for farmers to sell vegetables, fruit, meat, honey, dairy products, animal fiber and wine.	
Are all or some of the products at the event grown and produced in Massachusetts?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
How many exhibitors have products that are grown or produced in Massachusetts? <u>85+</u>	
What is the total number of exhibitors at event? <u>50 - 65 vendors per week</u>	
Does the event include Massachusetts farmers selling their own goods? (If yes, please attach a list of vendors with brief descriptions)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the event include competitive agriculture?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Does the event have operational guidelines or rules? (If yes, please attach a copy)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the event been inspected by the Department in the last two years? If yes, what was the date of the inspection(s)? _____	<input type="checkbox"/> Yes <input checked="" 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? If yes, please identify: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

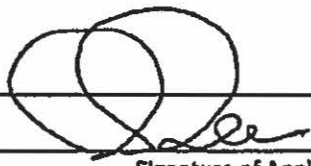
4. Event Management				
Name of Event Manager	Peg Mallett			
Manager Address	397 Boston Post Road			
City	Wayland	State	MA	Zip 01778
Is this person the on-site manager?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, please identify on-site manager (Include contact information): _____				
If there are multiple managers please list (include contact information):				

List or attach any credentials for training of the on-site manager (Attach resume if applicable):  
  
Market Manager, Wayland Summer Farmers' Market, 2005-2016    Market Manager, Wayland Winter Farmers' Market, 2010-2016

**4. General**

Please attach or provide in the space below a plan depicting the premises and the specific location where the sale of wine will occur at the event as well as a detailed narrative of your plan operations (including the opportunity for sampling or sales only):

see attached



Signature of Applicant

12/16

Date

FW19

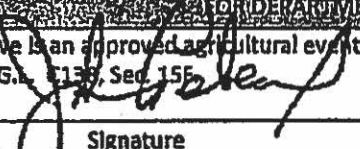
Farm-Winery License Number

MA

State

**5. AGRICULTURAL DEPARTMENT USE ONLY**

The event listed above is an approved agricultural event by the Massachusetts Department of Agricultural Resources under M.G.L. c.139, Sec. 15F.



Signature

12/16/16

Date

The event listed above is not approved as an agricultural event by the Massachusetts Department of Agricultural Resources for the following reason(s):

\_\_\_\_\_

Signature

Date

**DiNapoli, MaryAnn**

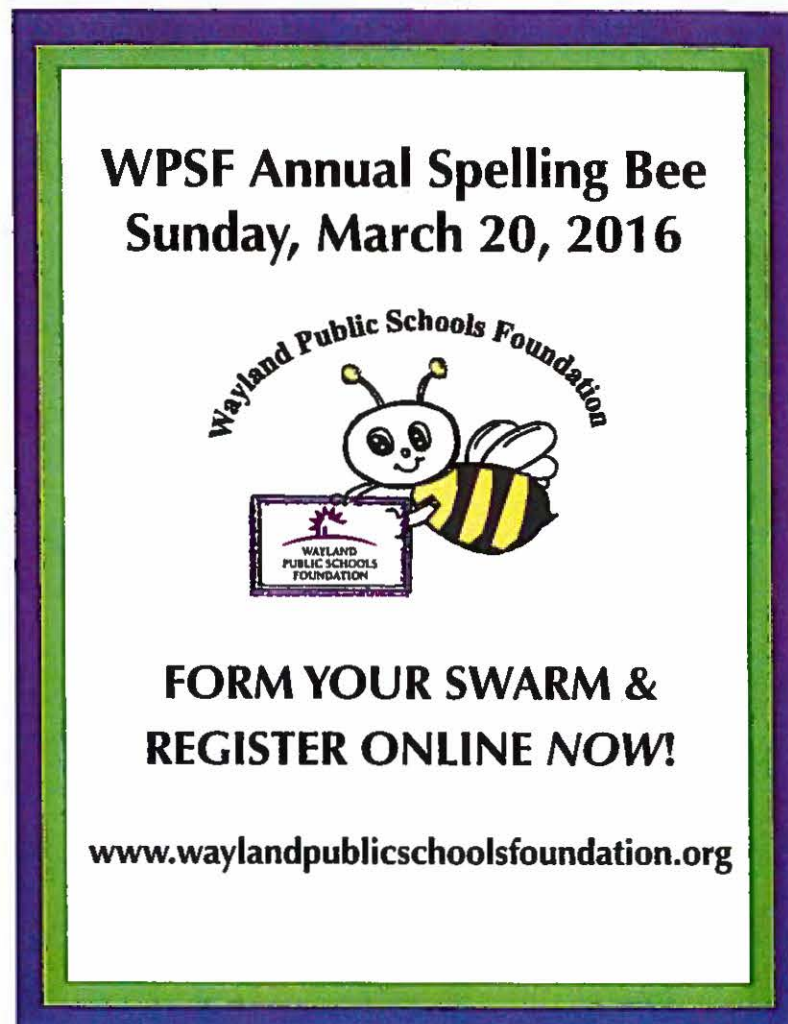
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**From:** Julie Ellenbogen <juliebogen@comcast.net>  
**Sent:** Thursday, January 19, 2017 8:46 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** Sandwich board permission  
**Attachments:** Spelling Bee 2016.pdf

Hi Mary Ann,

Per our phone conversation, the Wayland Public Schools Foundation would like to place the following sandwich board on the intersection of 126/27 the week of February 6th. The sign will be tweaked to depict the current date. Thanks so much!

-Julie Ellebogen  
WPSF Marketing  
[juliebogen@comcast.net](mailto:juliebogen@comcast.net)







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# TOWN OF WAYLAND

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BOARD OF SELECTMEN  
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## **LIST OF PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMEN FROM JANUARY 13, 2017, THROUGH AND INCLUDING JANUARY 19, 2017, OTHERWISE NOT LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR JANUARY 23, 2017**

### **Items Distributed To the Board of Selectmen –January 13-19, 2017**

1. Email of 1/11/17 from Town Administrator's Office to Board of Selectmen re: Invitation to KP Law Reception at the Sheraton Boston on January 20, 2017
2. Email of 1/18/17 from Town Administrator's Office to Board of Selectmen re: Articles Received for 2017 Annual Town Meeting

### **Items Distributed for Information and Use by the Board of Selectmen at the Meeting of January 17, 2017**

1. Public Comment, Molly Upton, Board of Selectmen Should Act Now to Restore Trust
2. Board of Selectmen Listening Subcommittee Purpose, Revised, January 9, 2017
3. Memorandum of 1/17/17 from Ben Keefe, Public Buildings Director, to Board of Selectmen and Finance Committee re: FY18 Capital Budget
4. Article List, 2017 Annual Town Meeting, with Text of Articles Attached

### **Items Included as Part of Agenda Packet for Discussion During the January 23, 2017 Board of Selectmen's Meeting**

1. Memorandum of 1/23/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Meet with Town Counsel
2. Memorandum of 1/23/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Rivers Edge Workshop
3. Memorandum of 1/23/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Warrant Article Hearing and Vote on Standard Town Meeting Articles
4. List of 2017 Annual Town Meeting Articles with Attached Text of Articles
5. Draft Board of Selectmen Meeting Minutes, January 9, 2016
6. Report of the Town Administrator for the Week Ending January 20, 2017





NAN BALMER  
TOWN ADMINISTRATOR  
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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
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## BOARD OF SELECTMEN

LEA T. ANDERSON  
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**BOARD OF SELECTMEN**  
**Monday, January 23, 2017**  
**Selectmen's Meeting Room**  
**Wayland Town Building**  
**41 Cochituate Road Wayland**

## REVISED CORRESPONDENCE

### Selectmen

1. Public Comment, 1/18/17, re: Construction of CVS, 150 Main Street
2. Public Comment, 1/17/17, re: Nonresident Voting Article for Annual Town Meeting
3. Public Comment, 1/18/17, re: Thank you for Public Comments
4. Public Notice, Finance Committee Annual Town Meeting Warrant Article Workshop on January 23, 2017
5. Letter of 1/19/17 from Nan Balmer, Town Administrator, to Laurel and Francis Gill, re: 246 Old Stonebridge Road and Beautification
6. Wayland Police Department Goals, 2016 Results

### Minutes

7. Community Preservation Committee, December 14, 2016
8. Economic Development Committee, December 9, 2016, January 13, 2017
9. Finance Committee, January 4, 2017, January 10, 2017
10. Zoning Board of Appeals, March 10, 2015

### State

11. Letter of 1/12/17 from MassFiscal.org to Board of Selectmen re: Carbon Tax Legislation Under Consideration in the State Legislature
12. Chapter 413 of the Acts of 2016, 1/3/17, An Act Exempting All Police Officers in the Police Department of the Town of Wayland from the Civil Service Law

**DiNapoli, MaryAnn**

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**From:** Balmer, Nan  
**Sent:** Wednesday, January 18, 2017 3:52 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Board of Selectmen 1/17/2017 public comment

correspondence

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**From:** Karlson, Cherry  
**Sent:** Wednesday, January 18, 2017 3:39 PM  
**To:** Balmer, Nan  
**Subject:** FW: Board of Selectmen 1/17/2017 public comment

For our discussion with Carolyn on next Monday.

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**From:** Paul and Gretchen Dresens <[pdresens@yahoo.com](mailto:pdresens@yahoo.com)>  
**Reply-To:** Paul and Gretchen Dresens <[pdresens@yahoo.com](mailto:pdresens@yahoo.com)>  
**Date:** Wednesday, January 18, 2017 at 3:11 PM  
**To:** "Karlson, Cherry" <[ckarlson@wayland.ma.us](mailto:ckarlson@wayland.ma.us)>, Lea Anderson <[landerson@wayland.ma.us](mailto:landerson@wayland.ma.us)>, Joseph Nolan <[jnolan@wayland.ma.us](mailto:jnolan@wayland.ma.us)>, "Antes, Mary" <[mantes@wayland.ma.us](mailto:mantes@wayland.ma.us)>, "Jurist, Louis" <[ljurist@wayland.ma.us](mailto:ljurist@wayland.ma.us)>  
**Cc:** Gretchen Dresens <[pdresens@yahoo.com](mailto:pdresens@yahoo.com)>  
**Subject:** Board of Selectmen 1/17/2017 public comment

I am sending a copy of my public comment from last evenings Board of Selectmen meeting, 1/17/2017.

Thank you  
Gretchen Dresens

I'm not trying to stop the CVS from being built. CVS is a permitted use. Similar to the bylaw relating to permitted uses which allows a pharmacy on the property across the street from me, there are ALSO bylaws that protect my property from any detrimental aspects from such development. Why is it that Wayland can apparently pick and choose which bylaws they want to uphold?

The violations that are in this plan directly affect my family's quality of day-to-day life. They affect the investment I have in my home. This is real to me and my family. This is why I am fighting so hard to get this plan to conform to Wayland's bylaws. I should not have to fight as hard as I have,



to spend as much money as I have, to invest as much time as I have to make sure that the bylaws that protect my quality of life and investment are upheld. I am angry. I'm angry that this town made huge mistakes and is unwilling to apologize or fix the mistakes, or acknowledge that I am paying an incredibly high cost for these mistakes.

The building permit is based on a plan that doesn't conform to bylaws. The building permit is based on a plan that contains a legal document that differs significantly from what was specified in the Planning Board's 2016 Provisional Agreement which could impact further development at the site, to the detriment of the neighborhood and my property. This document also never received Town Counsel's approval, as was also required by the Planning Board. The Building Permit is based on a plan that allows for entrances and egresses that not only don't conform to bylaws, but don't conform to a DPW issued permit. The Building Commissioner just accepted an updated DPW permit in late December, 5 months after the Building permit was issued, so that it would match the plan. These are but a few problems with the site plan that the Building Permit is based upon. There are more.

You have stated that you don't have jurisdiction over the actions of town departments and town boards to fix this problem. That is incorrect, you do.

The Town Administrator – “shall act as the agent of the Board of Selectmen” and “reports to and is evaluated annually by the Board of Selectmen”. The Building Commissioner “works under the policy direction of the Board of Selectmen and the administrative direction of the Town Administrator”. The Zoning Board is appointed by the Board of Selectmen. This Board is at the top, and to state that there is nothing that you can do is simply inaccurate.

The Selectmen can direct the Town Administrator to fix this problem of non-compliance, the Selectmen can direct the Building Commissioner to fix this problem of non-compliance, the Selectmen can direct Town Counsel to fix this problem of non-compliance. I, and many other people who are as outraged as myself, don't see this. We see an attempt to sweep this under the carpet. And I refuse to let that happen. Too much is at stake for me personally, as well as for the town.

You have the Planning Board who approved a Site Plan that does not conform to Town Bylaws, which was pointed out countless times during the planning stage by town residents. You have a Building Department that not only issued a building permit on a plan that is in violation of many bylaws, but that was negligent in delivering my appeal in a timely manner to the Town Clerk's office so my appeal wasn't. You have a Town Clerk's office that is staffed by 2 individuals that was closed without proper notice. You have a Zoning Board of Appeals that refused to hear my appeal, and was dismissive, rude, and unprofessional to town residents.

This is all going on under your watch.

Time is of essence – Construction has started in the tearing up of the parking lot at the site. No demo permit has been issued. I brought this to the attention of the Building Department on Friday and have yet to hear anything. My rights are violated. The building permit needs either to be revoked, or suspended until 150 Main can make the needed adjustments to the plan so it conforms.

This board can do something about this travesty. Whether or not it chooses to do so is unclear.

2

**DiNapoli, MaryAnn**

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**From:** Balmer, Nan  
**Sent:** Tuesday, January 17, 2017 9:56 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Nonresident voting article for ATM

correspondence

**From:** Kim Reichelt [<mailto:kim.reichelt@gmail.com>]  
**Sent:** Tuesday, January 17, 2017 9:31 AM  
**To:** Selectmen  
**Cc:** Balmer, Nan  
**Subject:** Nonresident voting article for ATM

Dear Selectmen:

I was pleased to see included in your list of potential articles for ATM "allow resident aliens to vote at Town Meeting". I hope this article will appear in the April warrant, and I am writing to advocate for it.

As you certainly recall, I have brought this article to Town Meeting twice (having to bring it back because our legislature failed to act on it), and both times it easily passed. The residents of Wayland have made it clear that they support this measure. Other towns in Massachusetts have passed similar articles (most notably Cambridge, Amherst and Newton), and like Wayland, have not had theirs acted upon.

Given the current political climate, in which some non-resident constituencies have been made to feel fear, this is a particularly good time to demonstrate that these neighbors are welcome here. For the same reason, it may be also be a good time to ask our legislators to finally act on our request.

Thank you for considering this article, and I look forward to the opportunity to vote in support at Town Meeting.

Kim Reichelt



3

**DiNapoli, MaryAnn**

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**From:** Balmer, Nan  
**Sent:** Wednesday, January 18, 2017 11:26 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: thank you

correspondence

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**From:** Linda Segal [<mailto:lmsegal@comcast.net>]  
**Sent:** Wednesday, January 18, 2017 11:16 AM  
**To:** Paul & Gretchen Dresens; Molly Upton; Sheila Carel; Gretchen Schuler  
**Cc:** Karlson, Cherry; Nolan, Joseph F.; Balmer, Nan; Linda L. Segal  
**Subject:** thank you

Good morning, Gretchen, Gretchen, Sheila and Molly,

I write to thank you for speaking at last night's selectmen's meeting during "public comment" to share your informed concerns about various land use issues affecting our town.

What happens during the public comment agenda item is at the discretion of the chair. The selectmen say they do not comment on the content of public comment.

In my personal view, selectman Joe Nolan's criticisms last night were unhelpful. First amendment rights deserve respect.

Thank you for devoting the personal time and effort to compose your input so it can be considered afterwards, when board members have the opportunity to do so.

I just wanted to let you know how much I greatly appreciate all you do for the greater good of our community.

Linda Segal  
Wayland resident, former selectman



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

4

TOWN BUILDING  
41 COCHITUATE ROAD  
TEL (508) 358-7701  
[www.wayland.ma.us](http://www.wayland.ma.us)

## **Public Notice Finance Committee Annual Town Meeting Warrant Article Workshop**

The Finance Committee will hold its Annual Town Meeting Warrant Article Workshop on Monday, January 23, 2017, at 7:45 p.m. in the Wayland Town Building. This workshop is held to facilitate public discussion and understanding of the articles submitted for Annual Town Meeting that begins on Sunday, April 2, 2017, at 1:00 p.m. in the Wayland High School Field House. This workshop is held in conformance with Wayland's Bylaws, and the public is encouraged to attend.

For non-standard articles, the Finance Committee requires at least one member of each sponsoring board or a petitioner to attend the workshop to present a brief synopsis of the article and be available for questions from the Finance Committee and the public.

The Article Workshop allows each article sponsor to summarize the purpose for the article and respond to brief questions from the Finance Committee and the public. The Article Workshop is not the place to debate the merits of the articles. Articles will be discussed in the order submitted unless other arrangements are made with the Finance Director.

If you have any questions, please contact the Finance Director, Brian Keveny, at [bkeveny@wayland.ma.us](mailto:bkeveny@wayland.ma.us), or (508) 358-3610.

Posted January 18, 2017:   Wayland Website  
                                  Wayland Town Building  
                                  Wayland Public Library

5



# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

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

## BOARD OF SELECTMEN

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

January 19, 2017

Lauren and Francis Gill  
242 Old Stonebridge Road  
Wayland, MA 01778

Dear Mr. and Mrs. Gill,

The Board of Selectman is in receipt of your letter and they have asked me to respond to your concerns.

Regarding your interactions with the Conservation Commission, the Town recently hired a new full-time Conservation Administrator and support staff and I encourage you to reach out to Linda Hansen with your concerns. She can be contacted at: [lhansen@wayland.ma.us](mailto:lhansen@wayland.ma.us).

The Conservation Commission and staff have made at least a dozen site visits over the past year to 246 Old Stonebridge as part of the acquisition and demolition process and to meet with you.

I was not aware that Brian Monahan missed an appointment with you. He did arrange to have a seasonal employee remove all the vines along the fence line on July 14, 2016. At that time, a part of the fence was leaning over, although the employee was not instructed to right the fence. Based on the property survey, the wooden fence to the rear of your house is located on town property (see attached plan). After the demolition of the house, the property will be graded and seeded with rye grass, which should minimize the growth of vines. The practice of dumping yard waste on this property needs to stop in order to control the growth of unwanted plant material.

The property at 246 Old Stonebridge was purchased with Community Preservation funding, which makes it impossible to swap land since this land is now protected under Article 97 of the Massachusetts General Laws. In addition, the chairwoman of the Conservation Commission, Sherre Greenbaum, sent you a letter dated August 30, 2016, advising you that the Commission voted not to pursue a land swap with you. The Conservation Commission would consider purchasing your riverfront parcel of land.

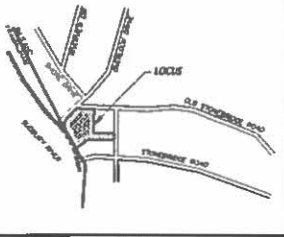
I appreciate your offer to run the beautification projects in town. The Town is still in severe drought conditions so our focus moving forward is to shift away from erecting planters that require intensive watering. Rather, the Town will focus efforts on educating residents on installing drought tolerant landscaping with decreased dependence on our fresh water source.

I expect the demolition of the house at 246 Old Stonebridge will proceed within the next few months and you will be notified in advance. Please contact me or Linda Hansen if you have any additional concerns.

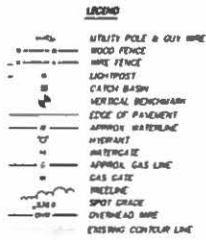
Sincerely,

A handwritten signature in black ink that reads "Nan Balmer". The signature is written in a cursive, flowing style.

Nan Balmer  
Town Administrator

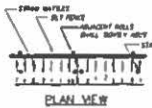


LOCUS MAP  
NOT TO SCALE

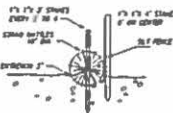


**SEDIMENTATION & EROSION CONTROL NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE ORDER OF CONDITIONS AND CHAPTER 77A PERMIT.
2. PRIOR TO THE COMMENCEMENT OF WORK, SEDIMENT BARRIERS SHALL BE INSTALLED ALONG THE EDGE OF PROPOSED DEVELOPMENT, AND AS INDICATED ON THE PLANS. ADDITIONAL BARRIERS IN THE FORM OF SLOTTED CURBS SHALL BE LOCATED AS CONDITIONS WARRANT OR AS DIRECTED BY THE OWNER, HIS REPRESENTATIVE, OR THE LOCAL AUTHORITY.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL EXISTING AND PERMANENT SEDIMENTATION AND EROSION CONTROL DEVICES UNTIL COMPLETE AND ALL AREAS HAVE BEEN PERMANENTLY STABILIZED.
4. THE CONTRACTOR SHALL INSPECT SEDIMENTATION AND EROSION CONTROL ON A DAILY BASIS AND IMMEDIATELY AFTER EACH SIGNIFICANT RAINFALL. REPAIRS SHALL BE MADE BY THE END OF THE WORKING DAY. ACCUMULATED SEDIMENT SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR AS REQUIRED BY THE LOCAL AUTHORITY OR AS DIRECTED BY THE ENGINEER.
5. THE CONTRACTOR SHALL BE PREPARED TO ALLOW WORK TO WAIT A DAY OR TWO AFTER RAIN EVENTS TO ALLOW SURFACE WATER TO DRY.
6. NO MATERIALS SUBJECT TO EROSION SHALL BE STOCKPILED ON-SITE UNLESS PROTECTED.
7. DISTURBED AREAS SHALL BE STABILIZED BY LOGGING AND SEEDING, OR BY OTHER APPROVED MEANS, AS SOON AS POSSIBLE AFTER THE FINISHED GRADE HAS BEEN MET. IF FINAL GRADING DOES NOT OCCUR DURING THE GROWING SEASON, THESE AREAS SHALL BE MULCHED WITH MAT AND SEEDING.
8. STREET CLOSURES IN THE VICINITY OF THE PROJECT AREA SHALL BE PERMITTED AS NECESSARY UNTIL THE PROJECT LIMITS HAVE BEEN STABILIZED. ALL SEDIMENT TRAPPED DURING PUBLIC RIGHT-OF-WAY OR PAVED AREAS SHALL BE TRAP AT THE END OF EACH WORKING DAY.
9. RETEILING SHALL BE PERFORMED OFFSITE TO THE MAXIMUM EXTENT PRACTICAL. IF ON-SITE RETEILING IS REQUIRED, A SLOTTED CURB SHALL BE KEPT ON-SITE AT ALL TIMES.



PLAN VIEW

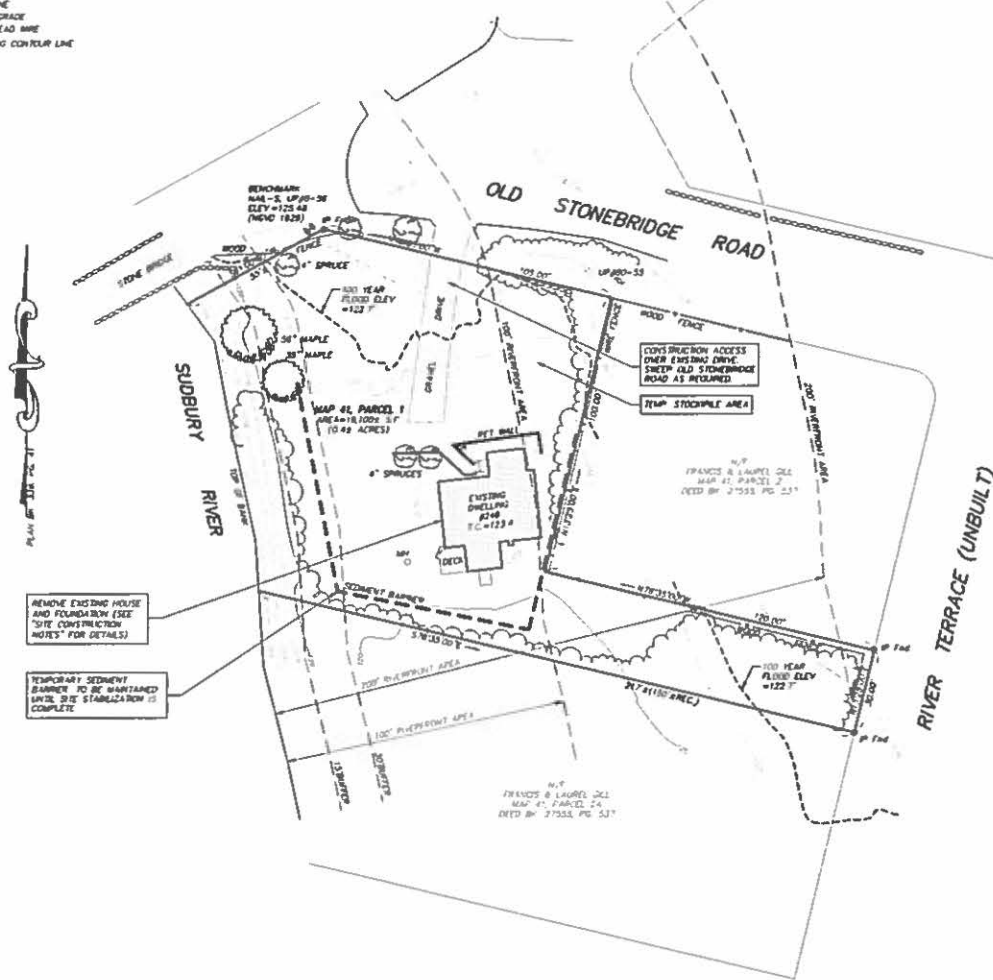


CROSS SECTION

- NOTES:**
1. SLOTTED CURB INSTALLATION REQUIRES THE PRESENCE OF AN EROSION STABILIZATION MAT. A 2' WIDE 2' DEEP SANDPIT MAY NOT BE ALLOWED TO REMAIN UNDER ANY CIRCUMSTANCES.
  2. INSTALLATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

**SEDIMENT BARRIER DETAIL**

NOT TO SCALE



REMOVE EXISTING HOUSE AND FOUNDATION (SEE "SITE CONSTRUCTION NOTES" FOR DETAILS)

TEMPORARY SEDIMENT BARRIER TO BE MAINTAINED UNTIL "SITE STABILIZATION" IS COMPLETE



- GENERAL NOTES:**
1. EXISTING TOPOGRAPHY IS BASED ON AN ON-THE-GROUND SURVEY BY SULLIVAN CONNORS & ASSOCIATES INC. PERFORMED IN OCTOBER 2013.
  2. LEGAL STATUS OF EASEMENTS AND WAYS, NOT DETERMINED BY THIS SURVEY.
  3. NEARLIES SHOWN HEREON ARE APPROXIMATE LOCATIONS ON-THE-GROUND BY SULLIVAN CONNORS & ASSOCIATES INC. IN OCTOBER 2013.
  4. EXISTING UTILITY LINES SHOWN ON THIS DRAWING ARE FROM AVAILABLE INFORMATION AND ARE APPROXIMATE LOCATIONS. THE CONTRACTOR DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION AND INVERT ELEVATIONS OF THE UTILITIES AND STRUCTURES, AS REQUIRED, PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL CONTACT THE STATE, 1-800-344-7233 (72 HOURS BEFORE DIGGING).
  5. THE LOT SHOWN AND THE PROPOSED HOUSE THEREON ARE LOCATED WITHIN THE 100 YEAR FLOOD PLANNED HAZARDOUS AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAPS FOR THE TOWN OF WAYLAND, MAP NO. 2007000007, DATED JULY 1, 2014.

- SITE CONSTRUCTION NOTES:**
1. EXISTING RESIDENTIAL DWELLINGS SHALL BE RAISED FOLLOWING EXISTING FOUNDATION AND ADJACENT STAIRS, SHALL, ETC.
  2. EXISTING UTILITY SERVICES SHALL BE ABANDONED PER THE UTILITY COMPANY RULES AND REGULATIONS.
  3. EXISTING SEWER SYSTEMS SHALL BE LOCATED AND ABANDONED PER THE LOCAL BOARD OF HEALTH REGULATIONS.
  4. ONCE CONSTRUCTION IS COMPLETED BAPTIST ALL WAYS AND EASEMENTS WITH PROPERLY COMPACTED CLEAN GRANULAR FILL, GRADE TO APPLICABLE SURFACE ELEVATION WITH ADJACENT ELEVATIONS. SURFACE SLOPE SHALL HAVE A MINIMUM SLOPE OF 2% TO PREVENT POUNDING OF WATER.
  5. ALL DISTURBED AREAS SHALL BE COVERED WITH 6 INCHES OF SOIL AND SEEDING. IF SEEDING OCCURS OUTSIDE THE GROWING SEASON, SEEDING AREAS SHALL BE MULCHED WITH MAT.
  6. DISPOSAL OF DESTRUCTION REMAINS SHALL BE OFF-SITE AND IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS AND REGULATIONS. NO MATERIALS SHALL BE BURIED ON-SITE.
  7. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL REMOVAL OR ABANDONMENT OF UTILITIES WITH THE APPROPRIATE UTILITIES COMPANY.

- LOT COVER SUMMARY:**
- A. TOTAL LOT AREA = 18,000 S.F.
  - B. EXISTING IMPERVIOUS AREA = 1,712 S.F. (9.5% IMPERVIOUS)
  - C. EXISTING LAWN/GRASS/SCALED AREA = 11,000 S.F.
  - D. PROPOSED LAWN/GRASS/SCALED AREA = 16,000 S.F.
  - E. TOTAL AREA DESTROYED = 4,300 S.F.

**PROJECT LOCATION:**  
246 STONEBRIDGE ROAD  
WAYLAND, MA  
MAP #1, PARCEL 1

**PREPARED FOR:**  
WAYLAND CONSERVATION COMMISSION  
41 COCHRANE ROAD  
WAYLAND, MA

**SULLIVAN, CONNORS AND ASSOCIATES**  
LAND SURVEYING AND CIVIL ENGINEERING  
121 BOSTON POST ROAD  
SUDBURY, MASSACHUSETTS 01776  
PHONE: 978-443-9566 FAX: 978-443-8915

**SITE PLAN OF**  
**246 STONEBRIDGE ROAD**  
**IN**  
**WAYLAND, MASS.**

DESIGNED BY: [Signature]	CHECKED BY: [Signature]
DRAWN BY: [Signature]	CHECKED BY: [Signature]
DATE: OCTOBER 30, 2013	
SCALE: 1"=20'	SHEET 1 OF 1





# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

## Wayland Police Department Goals 2016 Results

The overall mission of the Wayland Police Department is to make the Town of Wayland as safe as possible for its residents, employees and visitors. In an effort to further the mission of the department, some goals and specific objectives have been identified that we will attempt to meet in 2016. Each member of the Wayland Police Department is expected to contribute in meeting objectives that will allow us to attain the goals established.

### Improve Police Officer Training

The Wayland Police Department strives to maintain the highest standards of excellence utilizing training and technology to create a safe environment for citizens. Police officer training is vital in preparing officers for the daily tasks that society places on them each day. Well-trained officers are less likely to make mistakes that will place them in a dangerous situation or create a cause for unnecessary legal action against the department and the town. Given the budgetary constraints faced by the department, efforts will be made to control the costs of some of the training received by the officers.

**Objectives:** Provide each officer with a minimum of 16 hours of additional training this year above the 40 hours required, in accordance with **MGL Chapter 41 §96B**. This year, there will be an added emphasis to providing training in active shooter response. Other areas where additional training could be conducted are; domestic violence, officer survival, defensive tactics, police liability, investigative techniques, emergency driving, etc. This year the department will again participate in reward seminars sponsored by MIIA.

Continue an annual qualification of firearms consisting of a minimum of eight hours of training and the successful qualification of all department members. Included in the 8 hours of training, officers will receive mandatory use of force training. This will be accomplished with scenario based training. The department will also supply added firearms training for those officers identified as being able to benefit from one on one skills enhancement in the use of firearms.

Maintain the certifications of specific officers in specialized functions such as; child car seat installers, traffic accident reconstruction experts, computer forensics, and field training officers.

The department is always encouraging leadership development within the department. All Sergeants will be giving the opportunity to attend risk management training. Specific sergeants may be assigned to more advanced leadership and career development training.

**Results:** In 2016, the state agency, (Municipal Police Training Committee), responsible for police training, suffered a significant budget cut. The loss of monies to the agency resulted in the cancellation of courses outside of recruit academies and the mandatory in-service required by all police officers in the Commonwealth. Despite this, the Wayland Police Department was able to maintain its training goals of 2016.

As in past years, each officer attended annual firearms training which consisted of firearms qualifications and use of force issues. This year, each officer received additional training in scenario based tactical training, with the use of the Middlesex Sheriffs' Department shot trailer. Additionally, one officer attended two weeks of specialized firearms training to become a certified firearms instructor.

Officers assigned as specialists continued to maintain their certifications as Accident Reconstruction Investigator, Car Seat Installers and Evidence Control Officer. One officer was permanently reassigned to the Detective Division and attended several weeks of specialized training. Many of our officers attended MIAA seminars which included Work Zone Safety, Legal Update for Law Enforcement Officers and Emergency Vehicle Operations. Several Sergeants received advanced supervisory and leadership training.

## **Improve Traffic Safety**

Accidents are a problem in the Town of Wayland and the department needs to continue efforts in several areas to improve the safety of the roads in town. Our efforts at accident reduction have played a major role in the significant decrease in reportable accidents since 2003.

**Objectives:** Reduce the accident rate from 2015 levels by 5%. There were 350 reported accidents in 2015, a 6.7% increase from 2014. The department will maintain a program designed to identify roadways and intersections that have a high accident rate and/or generate citizen complaints. Once identified, the areas will be targeted for selective enforcement. In addition, the department will utilize the programmable signboard to warn motorists of potential hazards, road closures and construction projects. The department will also use speed and traffic counters to help determine problem areas in town. The department will continue its efforts to support permanent improvements at the intersection of East Plain St. /School St. and Commonwealth Road. The police department supports traffic-calming measures, such as speed bumps, to deter motorists from traveling too fast. All officers and supervisors will be encouraged to continue proactive enforcement of motor vehicle laws and to maintain a high police presence on our roadways, especially in high accident areas. On shifts with three patrol officers assigned, a unit designated as a traffic unit will be deployed to target problem areas.

During 2016 it will be an objective to keep alcohol related crashes at an absolute minimum. The department will aggressively enforce the O.U.I laws and deter underage consumption of alcohol by conducting spot checks of establishments that sell liquor. Officers and supervisors will be encouraged to be on the lookout for impaired drivers and to take enforcement action when one is found. The department will look to improve upon its record of 19 O.U.I. arrests in 2015. The department will participate in all programs sponsored by the Governor's Highway Safety Bureau to include, "Over the Limit, Under Arrest" and "Click It or Ticket."

It will be an objective to conduct a minimum of 50 child car seat inspections for Wayland residents. In 2015 a total of 70 child car seat inspections were performed.

The department will inspect pedestrian crosswalks throughout town and work with the Highway Department to insure that the crosswalks are highly visible for operators of motor vehicles and pedestrians.

**Results:** The department did see a 7.7% decrease in total accidents in 2016. There were 323 accident reports completed as compared to 350 in 2015. These results were tempered by the fact that there were two fatal accidents in 2016. Both accidents occurred in the month of May and both were single vehicle accidents where the vehicles left the roadway and struck a fixed object.

The East Plain Street/ Commonwealth Road/ School Street intersection redesign project was completed and already the frequency and severity of traffic crashes at this location has diminished.

The department made 23 arrests for Operating Under the Influence of Alcohol in 2016. This was 4 more than were made in 2015.

There were 73 child car seat inspections completed in 2016.

The department participated in all programs sponsored by the Highway Safety division of the Executive Office of Public Safety.

The department worked with the Department of Public Works to maintain current signage on the roadways and make sure that all crosswalks were well marked and painted. In 2016 the school zone warning lights for Happy Hollow School were upgraded to include a flashing speed indicator.

### **Reduce False Burglar Alarms**

False burglar alarms cause unnecessary emergency police response and can contribute to officer involved automobile accidents and officer complacency. In addition, they take officers away from other duties they may be performing.

**Objective:** Reduce false burglar alarms by 10%. In 2015 there were 678 false commercial and residential burglar alarms that required a police response. This represents a 21.3%% increase in false burglar alarms from 2014. By enforcing the Town By-law 83-2 and by proactive publicity on the importance of proper maintenance of burglar alarm systems, it is hoped that the number of false burglar alarms will be reduced to 610 or less. In addition to enforcing the Alarm By-law, the department will contact alarm violators after three false alarms to help resolve the problem with the alarm system.

**Results:** There were 654 false residential and commercial burglar alarms in 2016. This is a decrease of 3.5% from 2015. The department continues to have concerns with the amount of false burglar alarms because they call for a two car response and represent a significant strain on police resources.



## **Maintain Staffing Levels and Improve Hiring and Promotional Capabilities**

The current authorized strength of the Wayland Police Department is 23 sworn officers. At the beginning of the calendar year the department is operating at full strength. The department currently hires and promotes officers through the Massachusetts Civil Service System. This system has proven to be archaic and cumbersome when it comes to the hiring and promotional process.

**Objective:** Maintain the staffing level at 23 during the calendar year. Replace any opening caused by retirement or resignation with qualified candidates. The department will continue to track activity caused by the Town Center development to determine what staffing level may be needed in the future to handle increased demand. The department will propose an increase of total sworn staff to 24 during the 2017 budget presentation. The department will work towards removal from the Civil Service System in 2016 and look to develop new and better hiring and promotional standards and processes.

**Results:** In 2016 one officer resigned from the department and a new officer was hired. Officer Brian Healey resigned from the department on March 19<sup>th</sup>. An immediate hiring process was begun and a new officer, Kenneth Davis, was hired and began the police academy on September 12<sup>th</sup>. Officer Davis will graduate from the academy on February 18<sup>th</sup> and begin a two month field training program.

A proposal to increase the overall strength of the police department to 24 sworn officers was made to the Personnel Board, the Board of Selectmen and the Finance Committee. The final decision on adding the 24<sup>th</sup> officer is pending.

The town negotiated with the police union and reached an agreement on withdrawal from the Civil Service System. The Home Rule Petition overwhelmingly passed during the Fall Special Town Meeting and was recently approved by the legislature and signed by the Governor.

## **Improve Technology and Equipment**

Police work in the year 2016 requires sophisticated computer and electronic equipment. The police department must continue to improve its effectiveness by acquiring the latest equipment used in the law enforcement profession. Reliable communication systems are imperative for the operation of a police agency. In



order to maintain effective communications systems, periodic upgrades are necessary.

**Objectives:** The department will upgrade the 20 M.P.H. school speed limit signs at the Middle School and Happy Hollow School. Current signs are more than 25 years old. The department will continue to improve security at town buildings by funding exterior security cameras at Fire Station #2. These funds will be available through the 2016 Emergency Management Planning Grant.

Security at the Dispatch Center will be enhanced by adding electronic door security to interior doors at the Wayland Public Safety Building.

The department will implement COPSync, a warning and communication system for school security and police rapid response.

**Results:** All of the objectives for 2016 were met. In addition, the department began the process to upgrade exterior window security at the Public Safety Building.

### **Improve Community Relations**

The Wayland Police Department is firmly committed to the community policing philosophy and currently engages in many community-policing activities. These include; a Youth Officer position, Bicycle Officers, Auxiliary Program, Police/Youth forums and a web and Facebook page. As community policing is a never ending principle, new ideas and programs are necessary to keep the concept expanding throughout the department and the town.

**Objective:** Continue existing programs that are designed to foster good community relations. Programs such as the Child Safety Seat Inspection Program, Rape Aggression Defense Training and Cops/Kids Lunches will be continued in 2016.

Continue regular Police/Youth interactions at Wayland High School and Wayland Middle School. Assign two officers to act as chaperones for the 2016 Washington D.C. trip for Wayland Middle School 8<sup>th</sup> graders.

Work with WaylandCares to help develop strong ties between officers and the town's youth and parents.

Increase outreach to the elderly community on how to protect themselves from the various scams they may encounter by mail, telephone or e-mail.

In conjunction with Wayland Youth and Family Services, continue the Youth Diversion Program for juvenile first time offenders that was established in 2007.

Continue the prescription drug disposal at the Public Safety Building. This program allows residents to safely dispose their unused prescription medications.

Maintain the use of the Wayland Police Bicycle Patrol. This will include bicycle patrol presence at the Memorial Day Parade, Walden Pond trip, Halloween and other special events.

The department will continue to communicate with the public through social media, such as Twitter, Facebook and the department's website.

The Police Chief and other department members will speak at various town wide events, such as the Great Presenter's Series sponsored by the Wayland Public Library.

**Results:** All existing programs were maintained during 2016. In the fall the department conducted a very successful Citizen's Police Academy for Wayland residents.

During the year there were two "Prescription Drug Take Back Days". Residents could also dispose of unwanted prescription medications at any time by placing them in the prescription drug disposal box in the lobby of the Public Safety Building.

The Police Chief made a presentation on "100 Years of Policing in Wayland" as part of the Wayland Public Library's "Great Presenters Series. He also spoke at an event at the Islamic Center of Boston called "United Against Hate" after the mosque received an anonymous hate letter.

## **Improve Emergency Preparedness**

The Wayland Police Department must be trained and equipped to handle many emergencies. It is necessary for the department to work together with other state and local agencies to share resources and expertise.

**Objective:** The police department is committed to working with the Local Emergency Planning Committee to help maintain full emergency preparedness certification. The department will maintain its membership and participation in the Metropolitan Law Enforcement Council.

The department will continue to oversee the Swiftreach 911 System to provide emergency notifications within the community.

**Results:** The department remained active with the Local Emergency Planning Committee and maintained active status with the Metropolitan Law Enforcement Council.

The Swiftreach 911 System was used several times to provide residents with important safety related information.

## **Reduce Underage Consumption of Alcohol**

Underage drinking is a serious problem in the Town of Wayland, as it is in many Massachusetts communities. Although 2015 was another successful year, in that there were no serious alcohol related accidents or injuries involving our youth, there have been tragedies in the past that were related to youths and alcohol consumption.

**Objective:** Reduce underage drinking in Wayland, and thereby, reduce the likelihood of alcohol related injuries and accidents. The department will aggressively enforce alcohol related laws as they pertain to juveniles and will hold adults accountable for providing alcohol to underage persons. A program of spot inspections of local establishments that sell alcohol will be conducted on two or more occasions during the year.

**Results:** Two compliance checks of liquor license holders were conducted during the year. A local liquor store received a five day suspension after failing a compliance check for the third time. A local restaurant was placed on probation for one year after failing a compliance check for the first time.

### **Work Towards Police Certification and Accreditation**

The Wayland Police Department was certified by the Massachusetts Police Accreditation Program in the fall of 2015. The certification process consists of 155 standards that the department must comply with. To comply with these standards the department completed a comprehensive review of all Policies and Procedures, and Rules and Regulations. Some of the requirements for certification require only written directives or policies to be in place and followed, while others require working procedures or particular types of equipment to be available to department personnel. The next step in the accreditation process is full accreditation by meeting an additional 167 standards

**Objective:** The police department is committed to the accreditation process and will begin to work to attain the level of accreditation. Accreditation Manager, Sgt. Sean Gibbons has been tasked with the responsibility of getting the department through the full accreditation process as soon as possible. An initial exam for full accreditation is planned for 2017.

**Results:** Accreditation remains a priority for the department and the process for full accreditation has been examined and will begin in the next year.



Robert Irving  
Chief of Police

**Minutes of a Meeting of the  
Wayland Community Preservation Committee  
Large Hearing Room – Wayland Town Building  
41 Cochituate Road, Wayland, MA  
December 14, 2016**

**APPROVED 1/11/17**

**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:** Nan Balmer, Town Administrator; Jessica Brodie and Brud Wright, Recreation Commission; Marty Bradley and Dan Williams, Trinitarian Congregational Church; Susan Greene

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

**Public Comment:** Susan Greene was introduced as being interested in potentially joining the Community Preservation Committee (CPC).

**Minutes:** Anna Meliones motioned for the minutes from the August 18, 2016 CPC meeting be approved. John Sullivan seconded the motion. The minutes were approved (7-0-1).

The CPC reviewed potential CPC-sponsored Annual Town Meeting (ATM) articles:

**Affordable Housing Consultant –** The Town Administrator is requesting \$20k to hire a part-time Affordable Housing Consultant. Susan Weinstein noted the Town is invested in affordable housing, but efforts need to be better coordinated. The consultant could be an independent practitioner or Regional Housing Services Office. The proposal is to hire a consultant for one year as a test case. Susan Weinstein moved for the CPC to support \$20k for a housing consultant. John Sullivan seconded the motion. The motion was approved 8-0-0.

**Oxbow Meadow Fields –** The Town approved \$20k at 2016 ATM for design of playing fields at Oxbow Meadow. Recreation Board now requesting \$300k for construction, including parking. The Rec Dept. is working with the Wayland Historical Commission (WHC) to identify and avoid Nike bunkers. The Board held a public meeting, is undertaking a traffic study, and developing a maintenance plan.

**Dudley Woods Trail Project –** Recreation Board is requesting \$50k to supplement 2015 ATM funds for ADA-compliant trail. Discussed interpretive signage, garbage receptacles, ceremonial landscape report, maintenance of pervious pavement. Anna Meliones moved for the CPC to support \$300k for Oxbow Meadow Fields and \$50k for Dudley Woods Train Project. Elisa Scola seconded the motion. The motion was approved (8-0-0).

**Old High School (Bradford Hall) –** Trinitarian Congregational Church requesting up to \$80k to renovate Bradford Hall, Wayland's original high school. The funds would match donations raised by the church. The WHC previously voted to support a \$50k allocation. Discussed the building being highly visible, its rich history, and continued use for teen programs. Discussed supporting project with funds from the Historic Preservation (\$50,000) and Uncommitted funds (\$25,000) – to be clarified at the January CPC meeting. Susan Weinstein moved for the CPC to support \$50k from the Historic Preservation fund Ira Montague seconded the motion. The motion was approved unanimously 8-0-0.

**Cochituate Town Clock Face Restoration –** WHC requesting \$30,200 to restore the four faces of the Town-owned clock located in the Community United Methodist Church Tower. Discussed the need for annual maintenance (approx. \$600/year) needs to be put into Town budget in 2020.



Mellen Law Office Project – WHC requesting \$30k for exterior restoration of Mellen Law Office. Discussed the building’s prominent, central location and historical significance. Susan Weinstein moved for the CPC to support \$30,200 for the Cochituate Town Clock Face Restoration and \$30k for the Mellon Law Office Project. Elisa Scola seconded the motion. The motion was approved (8-0-0).

**CPA Project Signs:** Discussed having signs on current projects noting “This project supported by your CPC funds.” CPC reviewed photographs of sample signs from multiple communities and agreed upon the Concord design. Maureen Cavanaugh to contact Concord Town Planner to get information on the sign production. Woody Baston to reach out to the Department of Public Works for assistance with producing signs.

**Other Business:** None

**Next Meeting:** The next meeting is scheduled for January 11, 2017.

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Maureen A. Cavanaugh

**Minutes  
Economic Development Committee  
Town of Wayland MA  
Office  
December 9, 2016**

**Present:** Becky Stanizzi, Seth Roman, Jim Grumbach, Frank Panaccio, Doug Levine

**Guests:** Sarkis Sarkisian, Town Planner; Kimberly Boyd, Wayland resident at River Trail Place

Becky Stanizzi called the meeting to order at 8:15 a.m. in the Planning Office of the Town Building.

Nov. 4, 2016 meeting minutes approved

**River's Edge**

- Town revenue study expected to be completed in December/January
- A review of rental data shows that rents proposed by the Wood Partners' proposal are in-line with 375 Commonwealth Rd (\$3 per sq ft v. \$2.60 per sq ft)

**Rail Trail**

- Depot to Town Center portion complete

**Wayland Business Association**

- The tree lighting ceremony took place with an estimated 80-150 people in attendance
- The Orange Leaf store closed

**Town Center**

- Waste Water
  - o The Planning Board would like to look at waste water issues on Route 20
  - o An engineering firm has been hired by the developer to review their potential septic field
  - o EDC is willing to co-sponsor an article to investigate a Waster Water and Build-Out study
  - o The goal would be to seek improvement options to allow more businesses, such as restaurants, into Town Center
  - o This will likely involve an Article to present at the Spring Town Meeting
- Town Branding
  - o Looking for additional funds to improve branding

**Fresh Market (Whole Foods)**

- Whole Foods is planning to close in March 2017
- Fresh Market opening on track for Fall 2017

**Finnerty's**

- Abutters are opposed to the CVS
- Martino dropped appeal

**Spring Town Meeting**

- Any articles submitted need to be drafted by January 15th

The next EDC meeting will be held on Friday, January 13<sup>th</sup> at 8am.

Meeting adjourned at 9:00am, 5-0 vote

Respectfully submitted, Frank Panaccio

## Wayland Economic Development Committee

Friday, January 13, 2017

8:00 a.m.

Wayland Town Building

Present: Frank Panaccio, Doug Levine , Jim Grumbach, Jean Milburn, Seth Roman , Becky Stanizzi. Cherry Karlson, Mary Antes. Nan Balmer. Robyn Krasner, Laroy Butler, Celso Kiefer, Nancy Ross, Heidi Sleiman

The meeting was called to order at 8:07 a.m.

### 1) Public Comment

The guests present were residents of the River Trail Condo community that abuts the Town Center project. They express concerns in two areas, #1. If the Community Center is developed on the municipal pad, would screening be provided between parking lots and the condos? And #2. What can be done to fill the empty stores in Town Center?

Cherry Karlson responded that there are current negotiations between the BOS and the T.C. developer, so little can be said about the municipal pad until the negotiations are concluded. The town actually has no influence over the leasing agent's selection of tenants. The EDC intends to invite the National Development representative to the next EDC meeting and invited the guests to attend that meeting so that they could speak with the management company's representative themselves. She also mentioned that 12 acres owned by KGI are scheduled to be protected by conservation designation. The solar panels that can be seen on the land are powering environmental testing stations. The public can find detailed information on the Raytheon website.

### 2) Approve Meeting Minutes: Dec 9<sup>th</sup>

The minutes were approved with revisions. "River Study" was replaced with "Revenue Study". The developer has hired an engineering firm, not the Town. Unanimous approval 6 -0.

### 3) River's Edge Wayland

The BOS is scheduled to consider awarding the sale over the next few weeks. Then a period of due diligence will begin. If all goes well, the contract could be signed in June 2017. In response to a question, Cherry indicated that the police firing range will be closed by summer.

### 4) Business Community Issues

- a) Town Center: Sarkis indicated that a business is looking at the space currently occupied by Wayland Gourmet. The business offers art classes with beer & wine. The hardware store still needs more business.
- b) Town Branding: Sarkis indicated that there is some budget to begin work on "Town branding". He hopes to see activity on this project by March.
- c) Rail Trail update: Sarkis informed the group that the segment of the trail from Town Center to the Depot is finished. Eversource will work on the segment from the Depot to the Weston Town line next, with hope of completion for Summer 2017. The last segment will take longer due to environmental conditions near the river and the need for a new bridge.
- d) Wayland Business Association. Seth reported that he's been working on the project to allow Wayland HS students to do internship projects for Wayland Business's for academic credit.

- e. Route 20 Wastewater. Sarkis hopes that a group will gather to discuss this starting in March. Improving the wastewater processing capacity is key to growth on both sides of Route 20.
- f. Fresh Market. Still on schedule to start remodeling in March and open for business in Fall 2017.
- g. Finnerty's Property. No news to report.

5) Other Business

- a) The Public Records Law is now more demanding. We must avoid any email communication and keep accurate minutes.
  - b) A visitor asked if there is any discussion about a dog park. One can visit a Facebook page titled WAYDOG to get in touch with interested folks. It was observed that having more waste receptacles for dog excreta would be appreciated.
  - c) A visitor mentioned interest in having a small movie theater in Town Center.
  - d) A visitor mentioned that the rent-per-square-foot is so high that no footwear business will ever move into Town Center.
  - e) Sarkis was asked to try to get the leasing agent for Town Center to attend our next meeting so that we can invite the public to meet him and ask questions directly.
- 6) Set date for next EDC meeting. Feb 9.

Meeting adjourned at 9:40 a.m.

Submitted by P. Jean Milburn





# Town of Wayland Massachusetts

**Finance Committee**  
David Watkins (Chair)  
Gordon Cliff  
Nancy Funkhouser  
Jen Gorke  
Carol Martin  
Klaus Shigley  
George Uveges

**Finance Committee**  
**Final Minutes**  
**Jan 4, 2017**

The purpose of the meeting was to attend a joint session with the Finance Subcommittee of the School Committee. In attendance from the Finance Committee were D. Watkins, G. Cliff, N. Funkhouser, J. Gorke, C. Martin, and K. Shigley. Finance Director B. Keveny also attended. The Finance Committee meeting took place in the hall outside of the Board of Selectmen room at Town Center.

C. Martin called the meeting to order at 2:55. She reviewed the agenda. There was no public comment.

At 2:58 G. Cliff motioned that we recess the Finance Committee meeting to enter into the joint session with the Finance Subcommittee of the School Committee. N. Funkhouser seconded. Motion passed (Vote 4-0). C. Martin estimated that we would reconvene the Finance Committee meeting at approximately 3:45.

(See the Finance Subcommittee of the School Committee for minutes of the joint session).

The Finance Committee meeting reconvened at 4:00.

C. Martin stated that there were no topics not reasonably anticipated and that there were no meeting minutes to review.

At 4:02 N. Funkhouser motioned to adjourn. J. Gorke seconded. Motion passed (vote 6-0).

Respectfully submitted  
Gordon Cliff



# Town of Wayland Massachusetts

## **Finance Committee**

David Watkins (Chair)

Gordon Cliff

Nancy Funkhouser

Jen Gorke

Carol Martin

Klaus Shigley

George Uveges

## **Finance Committee**

### **Final Minutes**

**January 10, 2017**

Attendance: D. Watkins, G. Cliff, N. Funkhouser, J. Gorke, C. Martin, K. Shigley, G. Uveges, and Finance Director Brian Keveny.

### **Call To Order:**

The meeting was called to order by D. Watkins in the Senior Center Meeting Room at the Town Building at 7:00pm. He announced the meeting was being taped by WayCam. He reviewed the agenda for the meeting.

### **Public Comment and Committee Members' Response**

Peggy Patton, Plain Road, expressed concerns about DPW's proposed wireless water meters project. She is concerned by the high costs of the project overall and the fact that money appropriated in the past for replacement of analog meters has not been spent and would be repurposed. She is also concerned about the potential health and safety aspects of microwave transmissions. (see attachments)

Frank Krasin, Edgewood Road, said he was concerned about the potential negative health consequences of microwave transmissions related to wireless water meters. He said there are particular concerns about people with pacemakers being near meters when they are transmitting.

Paul Dale, Grace Road, explained that he is going to be the lead petitioner on two articles and asked that he be informed as to which FinCom member is assigned so that he can work with them to make sure the information brought to Town Meeting is clear and complete.

Alice Boelter, Lakeshore Drive, asked that residents be provided more information on capital projects where money had been appropriated but not spent.

Margot Melnicov, Lakeshore Drive, asked whether the wireless meters should be a separate article rather than included as an item in our capital budget. She stated that she thought it would be better to have it as a separate article to make sure there is time for a full hearing and debate on the item.

Frank Krasin, in response to a comment by a Finance Committee member, explained that microwave ovens are very well shielded and that there are different protocols on medical treatment for people with pacemakers reflecting extra concerns about exposure to microwave transmissions.

**Review of Operating Budget and Discussion with DPW and Fire; Discuss DPW Capital Requests:**

David Houghton, Fire Chief, and Neil McPherson, Assistant Fire Chief, reviewed their proposal to increase staff (see attachments). Their initial proposal was to increase staff by four given the significant increases in call volume. Based on discussions with the Town Administrator, the Personnel Board, and the Board of Selectmen they decided to revise the request for 2018 down to 2 with the increases salaries and benefits funded using ambulance receipts. After a year or two they would then assess whether benefits were achieved and whether further staff increases up to four as initially requested were needed.

N. Funkhouser asked whether we might reduce the 2 extra FTE to 1 and still get benefits. Chief Houghton stated that only 1 additional FTE wouldn't provide enough data to evaluate the operational and financial benefits. Using the ambulance receipts fund to fund operating expense is a new idea based they came up with based on the precedent of the Recreation Revolving Fund. Since injuries should be reduced there should be some benefit of increased FTEs in terms of reduced overtime expense. Response times should also be improved when multiple calls occur at the same time. Assisted living centers have been a big factor in driving increased call volume. C. Martin stated that she appreciated the thoughtful proposal about how to better utilize ambulance receipts but was hoping that part of the solution on strategy would be increasing the amount of contribution to help fund general fund expenses. Chief Houghton stated that he thought the projections for receipts was probably conservative and that there is still a possibility for some increases in contribution. C. Martin also stated that she thought the Recreation Revolving Fund model is different in that users pay fees to cover all expenses and that incremental fire FTE should be funded from the operating budget. Chief Houghton said he agreed but that they are convinced that the new positions are needed and thinks we should pursue ambulance receipts as a funding source if it is the only option available. C. Martin wondered if other towns are considering a similar approach. Chief Houghton observed that Sudbury recently increased its staff by 8 positions. G. Cliff asked whether a substantial percentage of our call volume is for other towns; Chief Houghton explained that while a significant amount of fire call volume is outside of town almost all ambulance call volume is in town. G. Cliff asked about the strategy of changing the purpose of the ambulance fund from accumulating money to pay for major fire and ambulance capital items to using it to fund operating expenses for personnel. Chief Houghton explained that the idea was based on his understanding of the precedent of the Recreation Revolving Fund. G. Uveges asked whether repurposing ambulance receipts to cover operating expenses rather than accumulating them to pay for major capital expenses wasn't a sensible move and whether there might be more opportunities to increase ambulance receipts. Chief Houghton explained that we currently bill at 200% of Medicare rates which puts us at the high end. J. Gorke wondered if we could get information on how our population/call volumes/staffing level ratios compare to other towns. Chief Houghton said he provided that information to the Board of Selectmen and would send that material to Finance Committee members.

Mike Lowery, member of the Board of Public Works, Tom Holder, DPW Director, Mike Lindemann, and Dan Cabral took the FinCom through material on the operating and capital budgets for DPW (see attachments). Mike started the discussion by introducing Tom Holder, our new DPW Director. On the operating budget staffing hasn't changed other than that all approved positions have now been filled. In looking at the detailed financials for each department there have been some reclassifications that make year over year comparisons a bit complicated to understand. Finance Committee members asked a number of clarifying questions. In terms of major variances, one item is \$20 k increase in maintenance costs required for the new building. These are expenses that are specific to maintaining services unique to DPW requirements (e.g. yearly inspections for forklifts, overhead cranes, pumping tight tanks, high pressure washers) and therefore are not provided for in the Facilities Department maintenance budget. \$90 k for hauling and disposing of materials and \$30 k for processed gravel are driven by the loss of the lay-down area due to Rivers Edge, although some part of the expense may have been needed at some point even without Rivers Edge. Mike Lindemann summarized that the need for these incremental expenses starting in 2018 was because of Rivers Edge but shouldn't be attributed fully to Rivers Edge. State requirements in terms of training and licenses have been increasing leading to \$5 k of additional expense. Also salary expenses are up to reflect the actual usage of seasonal labor and overtime which in previous years had been funded by actual staffing being below budget staffing whereas now the department is fully staffed.

G. Cliff asked that going forward that DPW subtotal all expenses in the General Fund and then separately report amounts for the Water fund. G. Cliff noted that the Town Administrator has estimated incremental operating expenses in DPW due to Rivers Edge are approximately \$150 k. Mike Lindemann agreed that was a reasonable estimate of the total impact. G. Cliff asked for perspective as to whether the approximate size of the impact was known when residents voted in favor of Rivers Edge at 2015 Annual Town Meeting. Mike Lowery explained that at that time DPW had not understood the difficulty of finding a new site in town to use and that therefore these expenses had been underestimated both in terms of one-time costs and ongoing costs. G. Uveges asked if there was some opportunity to coordinate with Recreation on using space at Loker for disposal. Mike Lowery explained that there were very tight restrictions on what purposes Loker can be used for. G. Cliff asked for information about how much DPW could reduce its net expenses if Recreation agreed to take its "fair share" of costs related to maintaining fields. Mike Lindemann explained that they estimated that the total costs of maintaining fields is probably in the range of \$240 k and that Recreation's fair share of that might be in the range of \$160 k. DPW representative agree that allocating such costs to Recreation seems like a reasonable thing to do. K. Shigley asked for more explanation on goods and services expense, and some additional explanation was provided. D. Watkins asked if some portion of the incremental expenses being caused by Rivers Edge could be shared with the Rivers Edge developer. Mike Lowery explained that we have probably already got to a pretty reasonable place in terms of cost sharing and any attempt to allocate more expenses to the developer would likely result in a corresponding reduction in the price we will receive.

Don Millette joined the group presenting to help explain the proposed Water Department budget. Staffing is flat. Total costs are up primarily due to debt service, reflecting water capital items that were approved at 2016 ATM, the purchase of the property on Old Sudbury Road approved at STM in November, and possibly some reallocation of debt expenses to Water that had previously been incorrectly attributed to



general fund and/or wastewater. G. Uveges asked for information on revenues. B. Keveny explained that a rate study is being done to determine if the water rates will need to change and if so by how much. Mike Lowery went on to explain that we need to make sure that all departments in town are being charged for the water they are using (e.g., irrigation of fields). Implementing such an approach will likely take a number of years.

FinCom moved on to discussing two capital items: a truck that FinCom had not included in the draft version of the capital budget and the wireless water meters which it had included. On wireless meters Mike Lowery explained that it is not uncommon that it takes several years before appropriated amounts are actually spent, in the case of replacement meters DPW wanted to make sure any new meters installed could be used if we adopted a new reading technology, there have been a number of change in DPW personnel in key leadership positions, and that the choices available have been changing rapidly. G. Cliff suggested that we focus the discussion on whether wireless water meters should be brought as a separate article rather than as just being one of many items included in the capital budget. Mike Lowery explained that as a capital item it would probably end up being handled quicker as the Moderator can exert some influence on how much time is spent on any particular item and that the last time the item was discussed at Town Meeting it was as an item in the capital budget not as a separate article. D. Watkins explained that he was under the understanding that it was going to be covered in as separate article and asked for some explanation on the concerns that had been expressed during the public comment. Tom Holder gave an overview of how the proposed new system would work and that the wavelength of the transmissions should not cause any health concerns. The major benefit of transmitting information reporting usage regularly is that it should allow for much more rapid discovery of leakages and other problems where water is being used unintentionally. We could include a customer portal to let users keep monitor their usage. Tom Holder mentioned that he had been involved in two prior situations where water meters were replaced and it was popular with most users. N. Funkhouser asked if more details are available (e.g., which vendor would be chosen, features/specs that we want the system to have, projected cost estimates). DPW reps provided additional details. One difficulty is that the program will require getting into each house to install the new meter, which is expected to occur over a 3 year implementation period. K. Shigley asked for more details on the benefits/savings (e.g., fewer water abatements) that we expect to achieve. Don Millette said that we currently have approximately 15% leakage (water pumped but not paid for). C. Martin explained that she had reviewed the minutes from our meeting in November with DPW and that FinCom had encouraged that it be brought as a separate article. She also said that she believes that we need to provide an estimate of the benefits and that we need a cost for the total project including money that will be needed in future years to complete the roll-out. J. Gorke shared the experience she had when she found out 8 months after the fact how much water her household had been using that she wasn't aware of. D. Watkins stated that he has concerns about this project as a CIP as to much of the information is uncertain/unknown and he wondered if the project might need another year before Town Meeting would have all the information that is needed.

DPW representatives provided more details on the truck. The truck being replaced is one of nine that are used regularly for snow removal. The current truck has required substantial repairs over the past several years. The new truck will also be helpful in dealing with new requirements created by Rivers Edge. Mike Lowery said that the new truck is definitely needed for multiple purposes. G. Cliff mentioned that part of the Town Administrators rationale to hold back on this truck was to get input from the new DPW



Director. Tom Holder stated that he is convinced a new truck is necessary. Mike Lindemann stated that if need be DPW would prefer that we reduce the funding for road reconstruction in order to include the new truck that they are convinced is more important for significant operational and safety reasons

**Report from the Finance Director:**

Brian Keveny, Finance Director, reported:

- Estimated debt service is down vs. prior estimates mostly due to timing (we won't borrow for the school windows project until the following year) and because we won't need to borrow as much to complete the fire suppression project.
- Brian is currently doing an analysis of general insurance and he may need to increase the amount both for this year and for the 2018 budget.
- Middlesex retirement expense may come down by \$7 k if we take advantage of the discount available from paying the full amount up front.
- Minuteman vocational expense may go up or down based on actual number of students and costs per student.
- Brian supports pursuing charging the Recreational Revolving Fund for field maintenance expenses in DPW.

**Debt exclusion:**

D. Watkins led a discussion on debt exclusion. He recommends that we not pursue a debt exclusion because only one item – the transfer station road – exceeds \$ 1 million and the town currently has a significant amount of excess levy capacity. Finance Committee discussed the pros and cons of recommending a debt exclusion. C. Martin pointed out that a debt exclusion would require that it be included on the ballot. C. Martin moved that the Finance Committee not recommend that we pursue a debt exclusion on any of the capital projects we are recommending for FY 2018. G. Cliff seconded. Motion passed 6-1-0 (Shigley voted against).

**Review Initial Article Assignments:**

D. Watkins led a discussion on article assignments. Finance Committee went through the articles on the latest list and made preliminary assignments. D. Watkins agreed to distribute an updated list and then we might decide to rebalance/reallocate if necessary.

**Review Issues & Actions list and Review Schedule & Milestones**

D. Watkins asked whether we should keep the week of Jan 23<sup>rd</sup> free to do write-ups or whether we should plan to meet. Finance Committee members discussed and agreed it was probably better to meet on the 23<sup>rd</sup> and hope to avoid the need to meet a second day on other weeks.

K. Shigley provided an update on OPEB contributions (see attachments). He noted that the difference between what we have contributed in the past several years vs. the amount we should have contributed based on actuarial analysis is close to \$800 k. He urged the FinCom to increase the amounts we contribute funded by either increasing taxes or removing some other components of expense. He argued that when the OPEB Special Committee focused their analysis on premiums they may not have fully

understood that West Suburban's premiums were understated for several years as they were using up excess funds so that the premium costs we paid were understated/not sustainable.

### **Discuss Chair and Vice Chairs Update**

D. Watkins provided an update on the Financial Report for the warrant. He distributed a draft (see attachments) and that we should be prepared to discuss it at a future meeting. D. Watkins asked for feedback on the updated website. FinCom members agreed that it was a big improvement. G. Cliff suggested that if we leave on the Goals that it should be specified that they were goals for FY 18. He also suggested that the webpage is now very long and that we should consider making the Financial Strategy a separate attachment rather than displaying it directly on the page.

N. Funkhouser stated that she did not have a version of the capital narrative to share but she would at a future meeting.

G. Cliff mentioned that he thought we might consider adding a new schedule that explains how we get from the recommended general fund budget to the amount that would be needed to be raised in property taxes. He distributed a first draft (see attachments) and asked members to review it so we could potentially discuss it at a future meeting.

### **Meeting minutes**

FinCom members reviewed the draft of minutes for January 3<sup>rd</sup>. G. Cliff proposed that in the attendance section at the top that if someone attended the meeting at some point that they be listed in this section. G Uveges said he was concerned about that approach as readers could be confused about who was there at the start of the meeting. FinCom members discussed and agreed that we could include both. C. Martin moved that we approve the minutes of January 3 as amended. N. Funkhouser seconded. Motion passed 6-0.

K. Shigley asked for a clarification about how we deal with attachments and whether we need to send them to MaryAnn. After discussion FinCom members agreed that we should do so and that if we need to we can give hardcopies of the attachments to Brian Keveny and he can arrange to have them converted into pdfs that can be sent to MaryAnn.

**Adjourn:** At 10:28 PM G. Cliff made a motion to adjourn. Mr. Uveges seconded. Motion passed 6-0.

Respectfully submitted,  
Gordon Cliff

### **Attachments:**

Patty Patton public comment.  
David Houghton, Fire Chief – New Positions Documents  
DPW proposed operating and capital budgets  
Update on OPEB  
Finance Committee Annual Report  
Property Tax Calculation Sheet



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

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3600  
FAX: (508) 358-3606

Zoning Board of Appeals Minutes  
March 10, 2015

Attending the meeting were Eric Goldberg, Acting Chair, Aida Gennis, Thomas White, Michael Connors and Associate member Argie Shapiro. Meeting started at 8:20 p.m. Norma Badger was also in attendance to take the minutes.

Application of PHILLIP & GLORIA VILLARI for any necessary approvals, modifications, special permits, variances as may be required to renew a special permit for a home occupation (physical & massage therapy) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 104, 201, 203, 901.1.2 and 804-Table of Permitted Accessory Uses by Districts (Use #62). The property is located at 3 WINTHROP ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-03)

Panel hearing matter: Eric Goldberg, Aida Gennis, Thom White, Michael Connors and Arjie Shapiro. Aida will write the decision.

Eric Goldberg mentioned to the applicant that this application was presented as to renew, modify, a special permit for a home occupation but the renewal date had expired so it should be treated as a new special permit according to the by-laws. Eric asked the applicant, Gloria Villari, if anything had changed. Gloria said the only anticipated change would be fewer hours and noted that nothing else has changed. Eric asked about the hours and Gloria said 7:30 to 5:00 three days a week. Eric asked if she wanted the hours limited to that or would she prefer keeping it as the last special permit; Gloria said she would like to maintain the same hours as before. Argie asked how many clients a week: Gloria responded approximately 20. Michael Connors said on the 09 decision it said no more than 30 and Gloria said she would be fine with keeping the number at that. Gloria explained why she forgot the renewal date. Eric read the criteria of the bylaw for home occupation...everything was in accordance. Keep it 30 clients a week and same hours and expire in 5 years.

Public: No comment.

Michael Connors made a motion to make a finding utilizing ght standard language "that although it ...it will not be more detrimental to the neighborhood" ...Eric second. All in favor 5-0

Proposal is not against the public.....and meets requirement and move to grant special permit subject to the 09 decision reviewed and according to plans and maintain compliance with other municipal boards. Eric second...all in favor 5-0.

Application of NIKLAS and KATHRYN ANDERSSON for any necessary approvals, special permit, and/or variance as may be required to change, alter, extend a pre-existing, nonconforming structure by more than 20% (demolish existing carport and construct 2-car garage with master bedroom suite above) within required side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.3.2, 702.1, 703.2, 1604.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 65 GLEZEN LANE which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (15-02)

Continued from February 24, 2015. Panel hearing matter then was E. Michael Thomas, Thomas White, Aida Gennis, Michael Connors and Argle Shapiro (Eric will mullenize and replace E. Michael Thomas since he will not be able to attend.) Eric Goldberg will write the decision.

Eric explained it was continued from a previous hearing and the applicant re-appeared before the board substituting the originally submitted plan with a new plan which would not encroach into the setback.

The architect submitted the formal plot plan and Eric said the new plans correspond to the plans they showed. Applicant said the BOH had seen the plans as well.

Michael Connors moved to make a finding utilizing the standard language " that although it will increase the nonconform..it will not be detrimental to the neighborhood" ..Thom second all in favor.

Michael Connors moved to grant the special permit not detrimental to the neighborhood and will not be dangerous to public health and move to grant special permit subject to condition, project to be constructed in conformity with the plans of March 2, 2015, applicant shall maintain compliance with anyother municipal boards specifically with the mention of the BOH. Eric second. All in favor 5-0

Other Matter: Michael Connors moved to approve minutes of 1/13/15 and 10/14/14. Thom second. All in favor

Entry judgement to annul the decision which will end the law suit

Thom and Michael motioned to adjourn at 8:40 p.m. Aida second all in favor.

May 12, 2015  
Date Minutes Approved

Norma Badger  
Prepared by: Norma Badger

**RECEIVED**

**JAN 17 2017**

**Board of Selectmen  
Town of Wayland**

January 12, 2017

Selectman Cherry Karlson  
41 Cochituate Rd  
Wayland, MA 01778

Dear Selectman Karlson,

I'm writing to draw your attention to carbon tax legislation under consideration in the state legislature.

The measure, S1747, sponsored by Senator Michael Barrett of the Third Middlesex district, claims to be "revenue neutral." It is not. S1747 would drive up costs on gas, electricity, and home heating oil. Municipal budgets as well as individual citizens will feel its effects.

Last year, your Representative Carmine Gentile cosponsored this same legislation. We urge you to let him know you do not support a new, broad tax on energy. We have included a copy of our testimony against this bill for your reference. If you have any questions, please call me at (617) 797-2540 or email at [paul@massfiscal.org](mailto:paul@massfiscal.org) with any questions. Thank you.

Sincerely,



Paul Craney  
Executive Director  
Massachusetts Fiscal Alliance





**S1747 An Act Combating Climate Change**

Paul D. Craney  
Executive Director  
Massachusetts Fiscal Alliance  
18 Tremont St. #707, Boston, MA 02108

Joint Committee on Telecommunications, Utility and Energy  
October 27, 2015

I am submitting this in opposition to S1747, An Act Combating Climate Change. What this bill presents to do, is impose a “revenue neutral” carbon tax. There are many reasons for being opposed to this bill and I hope you will consider the following concerns.

To first address the point of the bill, reducing carbon dioxide emissions, in which the purpose of doing this would be to prevent the greater outcome of climate change, or the slow progressive warming of the earth’s atmosphere. From a big picture, it is a good idea to measure if the labors of our efforts are worth the fruits. This policy to reduce carbon emissions addresses emissions in the small state of Massachusetts with a population of just over 6.7 million people. We don’t know what the fruit of our labor, or the reduction in global warming will be yet, but let’s put this into perspective. Recently, President Obama announced a large-scale “Clean Power Plan” that pushes for a 28% emissions reduction by 2025. This national plan, affecting the roughly 319 million people in the U.S. is said to prevent just 0.02 degrees Celsius in warming by 2100.<sup>i</sup> In fact, if you were to eliminate all carbon emissions that MA produces, that would only result in a 0.002-degree Celsius reduction in temperature by the year 2100.<sup>ii</sup> I urge you to imagine how much less of an affect any policy on a statewide level would have in the grand scheme of things. To compare apples to apples, the CBO put out a study on the implementation of a Carbon Tax on the national level and concluded “The tax would help reduce U.S. emissions but would have only a modest effect on the Earth’s climate without a worldwide effort.”<sup>iii</sup> Time and again, Secretary Clinton has said that it is important to get the most heavily populated countries like India and China on board to reduce their emissions because “there is no sense in negotiating an agreement if it will have no practical impact in reducing emissions to safer levels.”<sup>iv</sup> Once again, imagine how much more insignificant implementing this tax on the small state of MA would be, never mind the extra layers of headache that will result from it for the average person and government agencies alike.

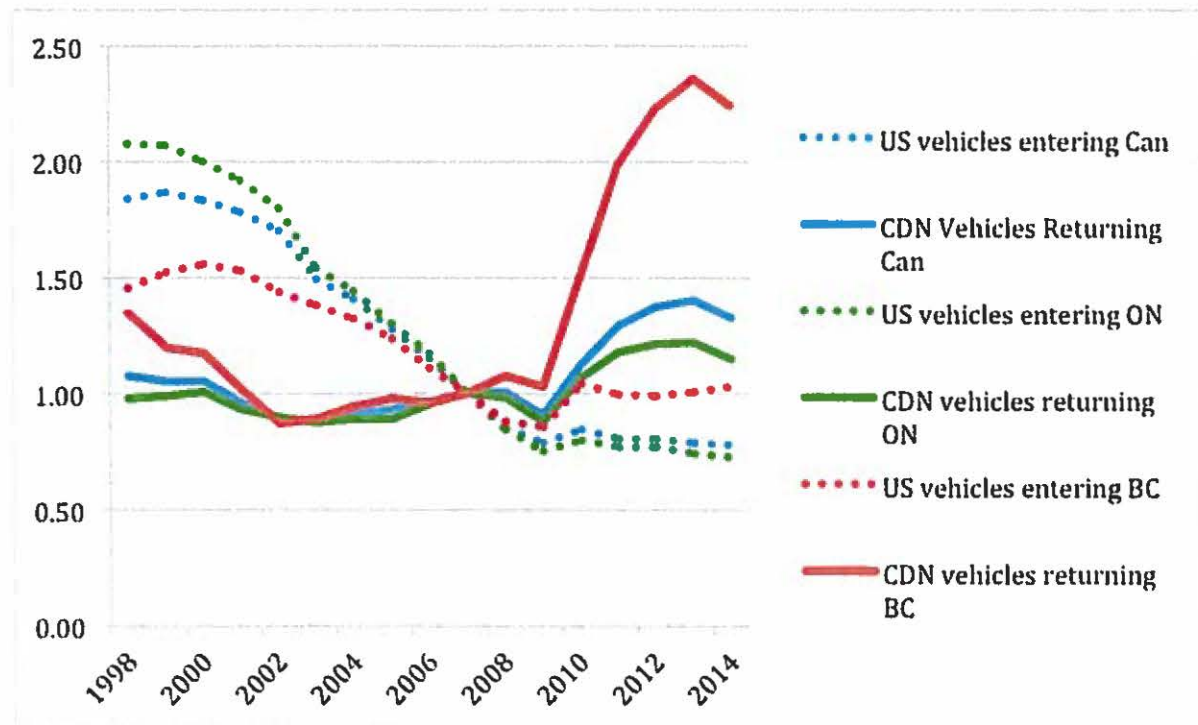
As I am sure you will repeatedly hear, British Columbia (BC) is the leading example of a revenue neutral carbon tax since its implementation in 2008. Looking beyond the glowing reviews however, there are some points that shouldn’t be overlooked on different parts of this

bill. Firstly, since carbon emissions from vehicles account for a majority of all emissions, the effect this tax will have on gas alone is a large one.

In BC, studies have shown that their carbon tax on gas is five times more potent in decreasing gas usage than a normal market driven gas hike.<sup>v</sup> They speculate that the typically green-minded individuals who want to use less gas feel like the playing field is more level and that by using less gas, others can't freeload and use more due to their sacrifice. This results in the green-minded people carrying out their goal of using less gas with the implementation of the field-leveling carbon tax. However, what was once a reasoning on the individual basis, could now be applied to a city, state or province as a whole. For example, if just one state in the U.S. cuts back its usage of gasoline, this lowers the world price and allows every other driver on Earth to get slightly cheaper gas.<sup>vi</sup> Even this theory however, was short lived. Findings that declines in gas usage leveled off after the last increase in the carbon tax in 2012 were soon found.<sup>vii</sup>

Another way to refute the lower gas usage in BC is a simple one: people were buying gas elsewhere. The studies don't capture consumption of gas, but rather the sale of gas in BC. Since buying cheaper goods in other states isn't a new theory for MA residence, why shouldn't we assume that people will go to other surrounding New England states to fill up their gas tanks? For those who think this theory is unrealistic, see the following chart which shows vehicle border crossing between BC and the southern bordering U.S., specifically focusing on 2008 levels when BC carbon tax was implemented.

**Figure 1. Annual Vehicle Border Crossings, U.S. vs. Select Canadian Regions, Index 100 = 2007**



Source: Statistics Canada, [Table 427-0002](#).



Further, proponents of the carbon tax like to say that the economy had remained largely untouched by the implementation of this tax in BC. This however, is when they compare BC to the rest of Canada, and doesn't take into consideration the fact that BC was actually doing better than Canada as a whole before the implementation of this tax. If you look at the unemployment rate five years before the implementation of the carbon tax in BC, it was at 5.6% and the Canadian average was at 6.6%. Take those numbers and compare them with five years after the implementation of the tax where BC unemployment rate was at 7.1% compared to Canada's 7.6%.<sup>viii</sup> This shows that the labor market advantage that BC once had was cut in half after the implementation of this tax. The economic effects that such a tax could have on MA would be disastrous.

Finally, since our state and nation as a whole does rely mostly on fossil fuels, if you tax them, things are going to cost more, despite the promised rebate. The price of gas, electricity and home heating are going to go up as a result. You can also assume that companies that are the largest emissions producers, who are the ones that are supposed to feel the biggest hit, will pass along the burden to the average consumer through higher costs on consumer goods, and will cut corners on quality. In the end the average person will take the biggest hit with the implementation of this tax. In turn, I hope you will consider taking a deeper look into the consequences of this legislation.

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<sup>i</sup> <http://www.cato.org/blog/002degc-temperature-rise-averted-vital-number-missing-epas-numbers-fact-sheet>

<sup>ii</sup> [http://scienceandpublicpolicy.org/images/stories/papers/originals/state\\_by\\_state.pdf](http://scienceandpublicpolicy.org/images/stories/papers/originals/state_by_state.pdf)

<sup>iii</sup> <https://www.cbo.gov/publication/44223>

<sup>iv</sup> [http://www.nbcnews.com/id/30440785/ns/us\\_news-environment/t/clinton-china-india-must-join-climate-action/#.VikRFSvYFyg](http://www.nbcnews.com/id/30440785/ns/us_news-environment/t/clinton-china-india-must-join-climate-action/#.VikRFSvYFyg)

<sup>v</sup> <https://socialsciences.uottawa.ca/sites/default/files/public/eco/eng/documents/1211e.pdf>

<sup>vi</sup> <http://instituteeforenergyresearch.org/analysis/british-columbias-carbon-tax-and-leakage-into-the-u-s/>

<sup>vii</sup> <http://instituteeforenergyresearch.org/analysis/british-columbias-carbon-tax-and-leakage-into-the-u-s/>

<sup>viii</sup> Unemployment data from Statistics Canada, Table 282-0087. The averages are based on the monthly data, i.e. July 2003 through July 2008, and July 2008 through July 2013.

Chapter 413  
of the Acts of 2016

THE COMMONWEALTH OF MASSACHUSETTS

In the One Hundred and Eighty-Ninth General Court

AN ACT EXEMPTING ALL POLICE OFFICERS IN THE POLICE DEPARTMENT OF THE TOWN OF WAYLAND FROM THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, all police officers in the police department of the town of Wayland shall be exempt from chapter 31 of the General Laws.

SECTION 2. Section 1 shall not impair the civil service status of a person holding the position of police officer in the police department of the town of Wayland on the effective date of this act, except for the purpose of promotion.

SECTION 3. This act shall take effect upon its passage.

House of Representatives, January 3, 2017.

Passed to be enacted,

*Paul J. Amato*, Speaker.

In Senate, January 3, 2017.

Passed to be enacted,

*Richard D. Scott*, President.

*Jan 12*, 2017.  
Approved,

at 10 o'clock and 14 minutes, P. M.

*Charles D. Baker*  
Governor.