

**PACKET**

**MAR 13**

**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, March 13, 2017**  
**Wayland Town Building**  
**Large Hearing 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 in Pending Action regarding Boelter et al v. Wayland Board of Selectmen and 20 Millbrook Road and 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 Strategy with Respect to Collective Bargaining and Pending Litigation in regard to Sams-Lynch v. Town of Wayland, if an Open Meeting may have a Detrimental Effect on the Litigating or Bargaining Position of the Public Body |
| 7:15 pm | 2.)  | Call to Order by Chair <ul style="list-style-type: none"><li>• Review Agenda for the Public; Announcements</li></ul>   |
| 7:17 pm | 3.)  | Public Comment   |
| 7:25 pm | 4.)  | Vote to Sign Conservation Restriction for Mainstone Farm and Vote to Extend the Closing Date for Purchase of Mainstone Farm Land Conservation Restriction to No Later Than April 15, 2017  |
| 7:35 pm | 5.)  | Discussion and Vote to Send Letter to Mass Housing regarding the Proposed 24 School Street Development   |
| 8:05 pm | 6.)  | Discussion and Potential Vote on Annual Town Meeting Articles, Errata and Handouts   |
| 8:25 pm | 7.)  | Vote to Sign Annual Town Meeting Warrant   |
| 8:35 pm | 8.)  | Minutes: Review and Vote to Approve Minutes of March 6, 2017   |
| 8:40 pm | 9.)  | Consent Calendar: Review and Vote to Approve (See Separate Sheet)  |
| 8:45 pm | 10.) | Review Correspondence (See Separate Index Sheet)   |
| 8:55 pm | 11.) | Report of the Town Administrator   |
| 9:05 pm | 12.) | Selectmen's Reports and Concerns   |
| 9:15 pm | 13.) | Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any  |
| 9:20 pm | 14.) | Adjourn  |



DATE: MARCH 13, 2017  
TO: BOARD OF SELECTMEN  
FROM: NAN BALMER, TOWN ADMINISTRATOR  
RE: MAINSTONE

**RECOMMENDED ACTIONS:**

- 1. VOTE TO SIGN CONSERVATION RESTRICTIONS**
- 2. VOTE TO EXTEND THE CLOSING DATE FOR THE PURCHASE OF THE MAINSTONE FARM LAND CONSERVATION RESTRICTION FROM MARCH 15, 2017 TO APRIL 12, 2017 AND AUTHORIZE SPECIAL TOWN COUNSEL MARK LANZA TO EXECUTE AN AMENDMENT TO THE PURCHASE AND SALE AGREEMENT RELATIVE TO SAID RESTRICTION IN ORDER TO EFFECTUATE SAID EXTENSION.**

**BACKGROUND:**

- Conservation Restriction:** The Conservation Commission and Sudbury Valley Trust have worked for state approval of two conservation restrictions for Mainstone Farm. One CR is for 280 acres and one is for 10 acres. Conservation Administrator Linda Hansen will discuss the CR's with the Board Monday. The main CR is on the Conservation Commission website and is available for public and Board review. The second 10-acre CR, mirrors the first in language and is awaiting release from the state. The Conservation Commission will attend the meeting Monday to consider signing the CR with the Board.
  - Extension of Mainstone Closing Date:** The Mainstone Purchase & Sales Agreement authorizes counsel for the parties to execute extensions to the closing date. The Hamlens' attorney informed Attorney Lanza that he could not obtain the signatures of the 3 Hamlen parties by 3/15/17 and suggested that counsel for all parties sign, as authorized, so that the P&S Agreement doesn't expire before the extension is signed by all parties.
  - Borrowing:** If the second CR is received by Monday am, the bond sale will be the March 20<sup>th</sup>. On Monday the 20<sup>th</sup>, in the afternoon, the Treasurer will award the bonds and sign the award. That evening, the Board needs to approve the Award. The documents that need to be signed will be delivered to the Treasurer and need the at least three Selectmen's signatures between the 24<sup>th</sup> and the 29<sup>th</sup> (the sooner the better). The funds will be available to us on April 4<sup>th</sup>. If necessary, the bond sale would be delayed until March 27<sup>th</sup>. The time that the Selectmen would have to come in and sign would shorten, and we would receive the funds on April 6<sup>th</sup>.
-

(5) 24 SCHOOL




Sarkis Sarkisian  
Wayland Town Planner

TOWN OF WAYLAND  
MASSACHUSETTS  
01778  
PLANNING DEPARTMENT

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3615  
FAX: (508) 358-4036

MEMORANDUM

 **Date:** March 9, 2017  
**To:** Board of Selectmen  
**From:** Sarkis Sarkisian, Town Planner  
**Re:** Planning Board Review of proposed #24 School Street application for 40B Affordable Housing Project Preliminary Application for Mass Housing. 12 Units Residential Rental Development. Applicant Chadwick Homes 75 Pelham Island Road Wayland, MA 01778.

---

**Staff recommendations and position based on comments heard and received from boards, committees, neighborhood residents, direct abutters and department heads.**

While the Town of Wayland supports the inclusion of rental housing, the Town is concerned that the project is too large for the property and for the surrounding neighborhood.

The issues identified below are most directly influenced by the size of the project. Issues such as the compactness of the site, lack of landscaping and massing of the building along School Street would be best addressed by reducing the number of units within the project. A reduction would allow for less parking, less area for a septic leaching field, less drainage, and better access for public safety personnel. The combination of the reductions would allow a building redesign that would reduce the massing of the building while improving the curb appeal of the project, for increased screening of the structure, greater amount of open space, and for reduced environmental and neighborhood impacts.

**Project**

The Applicant submitted a Project Eligibility/Site Approval application by hand to the Board of Selectmen's office for a 12 unit residential rental development on February 15, 2017. A site visit was conducted by Mass Housing on March 6, 2017 a copy of the sign in sheet is enclosed. The Planning Board and the Wayland Housing Partnership held an informational meeting on Tuesday March 7, 2017 attended by over one hundred residents. The comments from residents and department heads are posted on the Planning



Department website and are considered part of the record(see: [http://www.wayland.ma.us/Pages/WaylandMA Planning/apps](http://www.wayland.ma.us/Pages/WaylandMA%20Planning/apps)).

### **Project Description**

The subject property is located at 24 School Street and consists of approximately 37,865 square feet of land bordering a stream on the adjacent property to the west. The site is zoned single family R-20., 20,000 square feet, 20% minimum lot coverage The Applicant proposes the construction of two buildings with six units in each 12 of which 3 will be affordable. The applicant proposes a single access way from School Street with an emergency gated access drive to East Plain Street (Route 30).

According to the application, twenty-five percent, or three of the rental units, will be made available to households earning less than eighty-percent area median income.

Setbacks to adjoining residential properties range from 10' - 20'. One of the proposed buildings and portions of the parking lot will be located within 75' of offsite bordering vegetated wetlands and a tributary to Snake Brook. A wastewater collection system will convey flows to a shared wastewater septic system located under the parking lot. A proposed stormwater infiltration system is also being proposed under the driveway between the two buildings.

### **Local Needs**

On September 20, 2016 the Department of Housing and Community Development approved the Town of Wayland's Housing Plan. The Town of Wayland has also updated its 2011 Master Plan and recently completed the Open Space and Recreation plan in 2016. The proposed project was not included in any of the master plans.

### **Prior Municipal Action**

In terms of affordable housing development and unrelated to the subject property, the Town has taken major steps intended to meet local housing needs.

### **River's Edge-**

The Town of Wayland at the Annual 2014 Town Meeting approved a zoning overlay district on Town owned land consisting of 8 acres to define the scope and nature of the River's Edge Development at 489-490 Boston Post Road, at and including the former

Wayland/Sudbury Septage Facility site, for the development of 188 units of affordable and market-rate rental housing units. This density equates to 24 units per acre. The Town has been working on the pre-development process for this site for over four years. This project will produce 47 affordable units. All 188 units will count towards our Subsidized Housing list pushing the Town to 9.32%.

The Board of Selectmen voted in February 2017 to issue a Notice of Award to WP East Acquisitions, LLC (Wood Partners) for the sale and redevelopment of 484-490 Boston Post Road, Wayland, Massachusetts know as River's Edge, in response to Wood Partners' proposal submitted on July 6, 2016. Wood Partners has recently executed a Notice of Award and a final Land Disposition Agreement for the Premises (the LDA) is due within 30 days. Wood Partners has a 90 day due diligence period. It is anticipated that Wood Partners will close on the purchase under the LDA within (12) months of execution of the LDA. Wood Partners only needs to seek Site Plan Approval from the Planning board within this 12 month time frame.

#### Funding for Affordable Housing

The Town of Wayland has an Article before the April 2017 Town Meeting to transfer funds for community housing to the Wayland Municipal Affordable Housing Trust Fund (WMAHTF) to provide for the creation and preservation of affordable housing in Wayland. The Wayland Municipal Affordable Housing Trust Fund (WMAHTF) was authorized by the 2014 Annual Town Meeting to provide for the creation and preservation of affordable housing in Wayland. Funds to be transferred include monies already allocated to the Community Housing Fund. By transferring the CPA Community Housing Fund to the WMAHTF, the Town has greater flexibility for addressing affordable housing issues as the WMAHTF is not required to bring each proposed transaction to Town Meeting, only when creating more than two units of affordable housing.

The Town also has another article requesting \$20,000 for the purpose of funding a housing consultant to assist the Board of Selectmen and the Town's various other housing committees in making informed decisions on affordable housing. Having a professional with expertise in housing laws, regulations, and guidelines, who can oversee and coordinate local affordable housing efforts, will fill a gap in the Town's ability to protect and produce affordable housing. The Scope of Work for a Housing Consultant would be developed by the Board of Selectmen with input from the Housing Partnership and the Housing Trust and would likely report to the Town Administrator.

This position will assist the Board of Selectmen, Wayland Housing Partnership and the Wayland Municipal Affordable Housing Trust to make fully informed decisions regarding compliance with state requirements.



## **Project Specific Comments**

Municipal staff reviewed the conceptual plan and raised a number of concerns about the proposed development. Those items related to Project Eligibility are summarized below:

### **Public Safety Traffic and Circulation**

The Applicant will need to prepare a Traffic Impact Assessment with sufficient data, including traffic volumes, crash rates, and the safety and level of service (LOS) at the site entrance and area intersections of School Street and East Plain Street, in order to assess the Project's potential traffic impacts on area roadways. The Planning Board is very concerned with safety at this location. This intersection has been the scene of many traffic accidents, including fatalities, over the years. The Town of Wayland has conducted several traffic studies and has recently implemented a major improvement to reduce the number of conflicting traffic streams to better control turning movements. These improvements have caused additional backups during commute hours. We strongly recommend no curb cuts onto East Plain Street.

The intersection of School Street and East Plain Street, already a high crash location, will be impacted by the development as well. A traffic light or right turn only from the driveway may be warranted. The proposed gate at East Plain entrance is not acceptable by the Fire Department. The Fire Department does not allow gates on Fire Lanes due to operational concerns and accessibility delays during an emergency.

### **Wetland Impacts and Drainage**

A significant portion of the site is subject to the jurisdiction of the Wayland Conservation Commission pursuant to local and state wetland regulations. The Town is concerned that the Project, particularly several condominium units and an enlarged stormwater detention basin located within the 75-foot buffer, would have a negative impact on area wetlands, both on and off site. Neighbors to the proposed development are concerned that the Project may exacerbate existing drainage problems in the area. The applicant will need to make a determination if the adjacent stream is intermittent or perennial.

### **Historic**

The Wayland Historic Commission has raised concerns that the area represents the last farming area of Cochituate Village. In addition to the historic farm property, the existing barn on the property dates back to 1880 to the early 1900's.

### **Design Details**

The facade of the proposed buildings face School Street, with back decks located a mere 12' from the road. The Plans indicate that two buildings measuring 115' in length will be constructed each containing 6 units. The Building that faces School Street is out of character with the existing neighborhood.

This arrangement contradicts the predominant single family structures existing in the area. The Applicant should consider reducing/relocating and/or redesigning these units, in addition to adding appropriate landscaping to buffer the development from traffic on School Street.

The plan does not provide adequate pedestrian improvements. Sidewalks should be provided throughout the development to enable residents to walk safely to pick up their mail or children from the bus stop.

Public sewer is not available in Wayland. The site does not appear to include a reserve area in the event the wastewater treatment system fails in the future.

In general, the conceptual plan would result in too much impervious surface and too little open space. The proposed level of density is incompatible with the surrounding neighborhood. The density of 12 units per acre for the project, which is approximately 12 times the density of the underlying zoning district, is not in character with the surrounding neighborhood.

The Police and Fire Departments raise a general concern about driveway lengths within the development. Driveways must be designed with a minimum length of 20-feet to accommodate parked vehicles so that drivers do not inadvertently restrict circulation by overhanging into the internal roadways

CC: M. Antes, Wayland Housing  
D. Hill Chair of Planning Board  
R. Brattt Chair Wayland Housing Partnership



(8) MINUTES

**DATE:** MARCH 10, 2017

**TO:** BOARD OF SELECTMEN

**RE:** BOARD OF SELECTMEN MINUTES OF MARCH 6, 2017

---

The Board of Selectmen minutes of March 6, 2017 were not available in time for this packet.

---

**TOWN ADMINISTRATOR'S REPORT**

**WEEK ENDING MARCH 10, 2017**

**WAYLAND MEADOWS – LAND DONATION**

The Conservation Administrator reviewed with Raytheon the Town Planner's suggestion to include part of the proposed conservation land donation at Town Center for as a future septic reserve. It was agreed that the environmental constraints at the site made this idea impractical. Linda Hansen will be at the meeting and can answer questions.

**LEGAL COSTS / LIBRARY DRAINAGE**

On March 27<sup>th</sup>, the Finance Committee will again consider the request to fund additional legal costs. The Finance Committee may recommend a current year transfer approved by Town meeting as a means to fund the costs. I have asked the Library Chair to consider funding \$5,000 in library project legal costs (including costs already paid) from the project's article funds. These funds have not been fully expended by have been reserved by the PMBC for future project costs. The Finance Committee is also working to fund cost over-runs for the Library Drainage project caused by unexpected structures underground.

**REQUEST FOR MEDICAL MARIJUANA DISPENSARY:**

Neil Phelan of Revolutionary Medical asked to meet with me and has communicated with some Selectmen about his interest in establishing a medical marijuana dispensary in town. Although the town zoning does not list such a facility as an allowable use, the applicant could argue that the use fits town zoning as a health clinic or a retail use. Town Counsel advises that if a medical marijuana facility is established in town, the town is then required to also allow at least one recreational marijuana retail outlet. I will meet with Mr. Phelan to learn more about Revolutionary Medical's intentions and company, but first wanted to hear the board's thoughts on this matter.

**STREET ACCEPTANCE:**

The attached memo was provided by the Town Planner / Chair of the Planning Board to document the legal steps followed for the street acceptance article.

**BUILDING DEPARTMENT:**

Please see new customer service tool to assist building permit applicants to understand regulatory requirements.



## Common Residential Projects (1&2 Family)

### Likely Required Department Approvals Permitted by Right Zoning/Outside Historic

	Building Dept	Health Dept	Conservation Dept	Fire Dept	Planning Dept	Water/DPW
New Construction (Vacant Lot)	X	X	X	X	X	X
Alteration/Addition (Includes Basement Remodel)	X	X	X	X		
Deck (Outside Conservation Area)	X	X				
Kitchen/Bathroom (Remodel)	X					
Re-roof/Sidewall/Windows	X					




Sarkis Sarkisian  
Wayland Town Planner

TOWN OF WAYLAND  
MASSACHUSETTS  
01778  
PLANNING DEPARTMENT

TOWN BUILDING  
41 COCHITUATE ROAD  
TELEPHONE: (508) 358-3615  
FAX: (508) 358-4036

## Memo

 **DATE:** March 1, 2017  
**TO:** Board of Selectmen, Board of Public Works, Planning Board  
**FROM:** Sarkis Sarkisian, Town Planner  
**RE:** Roadway Acceptance Procedure

---

Acceptance of a road as a public way involves three (8) steps:

### 1. Road Lay out Plan

Plans were prepared by a registered land surveyor or civil engineer showing the road layout (boundaries). The plans were accurately shown on a recorded subdivision plan.  
*Complete*

### 2. Notice of Intention to lay out a town way

At least seven day prior to the Board of Public Works vote to lay out a way, the BoPW must give notice by hand delivery (Constable) to the persons whose land will be taken or otherwise acquired for such purpose.

*Notices were hand delivered between January 24, 2017 and January 25, 2017 by Constable William E. Pickett, Jr.*

### 3. Lay out Vote

The Board of Public Works vote must to lay out the road as a public way as shown on the layout plans M.G.L.c 82, §21.

---



*The BOPW provided notice to all owners along Dylan Circle, Summer Lane and Spencer Circle and then held a meeting on January 31, 2017. The meeting was continued to February 14, 2017 whereby the BOPW voted to lay out Summer Lane (5-0-0) and Dylan Circle (5-0-0) as public ways but declined to lay out Spencer Circle (0-5-0).*

*The BOPW affirmed and voted on February 28, 2017 a motion of intention to lay out Dylan's Circle and Summer Lane as a public way. Said motion was filed with the Town clerk on March 1, 2017.*

#### **4. Planning Board Recommendation**

All proposed lay outs of town ways must be referred to the Planning Board for a recommendation. The lay out cannot take effect until the Planning Board renders its report or forty five days have elapsed without a report. MGL.c.41, §81H or §81I.

*On December 6, 2016 the Town Planner and the Planning Board Chair reported to the Board of Public Works to discuss the laying out of Dylan Circle, Summer Lane, Greenways and Spencer Circle as public ways. All of the proposed streets were approved by the Planning Board under the subdivision control law. At this meeting a discussion followed as to the conditions of the roads. Spencer Circle and Greenways roads have outstanding issues. Both streets were approved over thirteen years ago and no bond funds are in place. Chairman Dan Hill suggested referring the matter back to the entire Planning board at our next scheduled meeting. On January 3, 2017 the Planning Board recommended removing Greenways from the street acceptance list because the detention basin was not properly constructed. The Planning board still wanted to move forward with the Spencer Circle Street acceptance based on the fact that a Memo dated December 6, 2004 from the previous Town Planner in concurrence with the former DPW Director, recommended a bond reduction. Also, the Planning Board received a citizen's petition from the residents of Spencer Circle dating back to November 20, 2013.*

*Based on the above vote by the BoPW for Spencer Circle the Planning Board at a posted meeting on Tuesday February 28<sup>th</sup> voted to remove Spencer Circle from the 2017 Annual Town Meeting Warrant.*

#### **5. Filing of Layout Plan and Report**

The lay out plan must be filed in the Office of the Town Clerk.

---

## **6. Town Meeting must vote to acceptance**

Not less than seven days after the lay out plan is filed in the Office of the Town Clerk, the way must be accepted as a town way by majority vote of town meeting.

## **7. Acquisition**

The Board of Selectmen must acquire by gift, the deed in the road and drainage, water, sewer, utility, access, buffer, and/or other related easements (the "appurtenant easements") within one hundred twenty (120) days from the close of the Town Meeting at which the road is accepted as a public way.

## **8. Permanent Bounds**

The BoPW must cause permanent bounds to be erected at the termini and angles of all ways laid out by them.

*complete*

*The developers have installed bounds as required by the Planning Board's subdivision rules and regulations to satisfy this requirement.*

---



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, March 13, 2017**  
**Large Hearing Room**  
**Wayland Town Building**  
**41 Cochituate Road Wayland**

## CONSENT CALENDAR

1. Vote the Question of Approving and Signing the Weekly Payroll and Expense Warrants
2. Vote the Question of Approving the Invoice from KP Law, P.C., February 28, 2017, Invoice No. 111164, for Services Through January 31, 2011: \$29,280.23
3. Vote the Question of Approving the Appointment of Attorney Mark Lanza as Special Counsel in the Matter of the Wayland Rod and Gun Club
4. Vote the Question of Approving the Authorization of the Chair of the Board of Selectmen to Sign MSBA (Massachusetts School Building Authority) Document, Accelerated Repair Program Reimbursement Rate Certification, regarding Percentage of Town and Grant Contribution for Windows Project
5. Vote the Question of Approving the Placement of One Temporary Sandwich Board Sign for the Wayland Fishing Derby from April 22-29, 2017, at the Cochituate Fire Station at the Corner of East Plain Street and Main Street
6. Vote the Question of Approving Letters of Commendation for Eagle Scouts:
  - Ethan Jeffrey Batt, for Trail Restoration at the Trout Brook Trail Conservation Area
  - Quinn Owen Fay, for the Replacement of a Section of Boardwalk over 100 Feet in Length over a Boggy Section of Trail at Greenways
  - Nikolaus Richard Kemper, for Building a Decorative Gate and a Bench for the New Produce Garden Learning Area at Happy Hollow Elementary School
  - Nathan Wencheng Zhao, for Replacing and Upgrading a Trail Kiosk at the Cow Commons Conservation Area



**KP LAW, P.C.**

101 ARCH STREET  
BOSTON, MA 02110

(617) 556-0007

**RECEIVED**

**MAR - 8 2017**

Board of Selectmen  
Town of Wayland

---

INVOICE NO. 111164

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

IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH      JANUARY 31, 2017  
FEBRUARY 28, 2017

TOTAL FEES: 29,008.00

TOTAL COSTS: 272.23

BALANCE DUE: 29,280.23

DATE: MARCH 13, 2017  
 TO: NAN BALMER  
 FROM: ELIZABETH DOUCETTE, FINANCIAL RESEARCH / ANALYST  
 RE: TOWN COUNSEL SERVICES JANUARY 2017

**DETAIL BY MATTER AND CREDIT TOWARD RETAINER**

<u>MATTER</u>	<u>AMT BILLED</u>	<u>AMT CREDIT TOWARD RETAINER</u>
General		\$8,417.50
Bernstein v. Planning Board	\$74.00	
Transition	\$0.00	
Town Center/Twenty Wayland	\$1,591.00	
150 Main Street	\$6,308.50	
Nelson v. Conservation Commission	\$2,479.00	
Open Meeting Law Matters	\$3,200.50	
Library Project		\$240.50
Real Estate		\$666.00
Town Meeting		\$5,383.50
Contracts		\$647.50
Disbursements	\$272.23	
<b>Non Retainer Total</b>	<b>\$13,925.23</b>	
<b>Retainer Total</b>		<b>\$15,355.00</b>
<b>TOTAL AMOUNT BILLED</b>	<b>\$29,280.23</b>	

**RETAINER CREDITS AND BALANCE**

<u>SERVICE PERIOD</u>	<u>AMT CREDIT TOWARD RETAINER</u>
<b>FY17 Retainer Cap Pro-rated Dec 2016 - Jun 2017 *</b>	<b>\$37,916.69</b>
December 2016 Retainer Credit	-\$5,402.00
January 2017 Retainer Credit	-\$15,355.00
<b>REMAINING RETAINER CREDIT FY17</b>	<b>\$17,159.69</b>

\* Retainer Cap is \$65,000/fiscal year. This was pro-rated in FY17



**Town of Wayland**  
41 COCHITUATE ROAD  
WAYLAND MASSACHUSETTS 01778  
www.wayland.ma.us TEL. 508-358-3788

**OFFICE STAFF**

Ellen M. Brideau, MAA Director of Assessing  
Donald Clarke, MAA Assistant Assessor  
Jessica Marchant, MAA Administrative Assessor  
Savitri Ramgoolam, Department Assistant

**BOARD OF ASSESSORS**

Susan M. Rufo, Chair  
Jayson Brodie, Vice Chair  
Zachariah L. Ventress  
Cheryl Kane

---

**MEMO**

---

**TO:** BOARD OF SELECTMEN  
**FROM:** BOARD OF ASSESSORS  
ELLEN BRIDEAU, DIRECTOR OF ASSESSING  
**CC:** NAN BALMER, TOWN ADMINISTRATOR  
**SUBJECT:** LEGAL COUNSEL – ATB CASE – 4 MEADOW VIEW RD  
**DATE:** 2/28/2017

---

The Board of Assessors (BoA) at their meeting last night discussed the current Appellate Tax Board (ATB) case involving 4 Meadow View Road, ATB Case F330237 – Wayland Rod and Gun Club v. Town of Wayland. The board was recently notified that the ATB has scheduled this case for a hearing on Tuesday, May 23, 2017.

The BoA would like to respectfully request that the Board of Selectmen authorize Attorney Mark J. Lanza to continue as legal counsel in this case. Attorney Lanza has considerable knowledge of this appeal and has previously met with the representatives of the Wayland Rod & Gun Club, Susan Rufo, BoA Chair, Jayson Brodie, BoA Vice-Chair and Ellen Brideau, Director of Assessing in addressing this case beginning in the fall of 2015. Attorney Lanza also drafted a lengthy Opinion related to the issues of law in this case.

We appreciate the Board of Selectmen's consideration of the Board of Assessor's request.



MSBA Accelerated Repair Program Reimbursement Rate Certification  
Calendar Year 2016

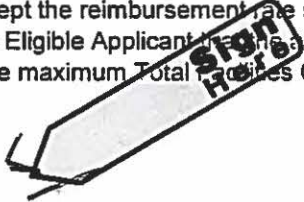
Wayland

Loker School 201603150020

<u>MSBA Reimbursement Rate Calculation</u>	
Base Points	31.00
Income Factor	-
Property Wealth Factor	4.42
Poverty Factor	-
<b>MSBA Reimbursement Rate</b>	<b>35.42</b>

Certification

By signing this Reimbursement Rate Certification, I hereby certify that I have read, understand, and accept the reimbursement rate set forth above, and I hereby acknowledge and agree on behalf of the Eligible Applicant that the above-stated reimbursement rate is the rate that will be used to calculate the maximum Total Facilities Grant for the proposed project.



\_\_\_\_\_  
Local Chief Executive Officer

  
\_\_\_\_\_  
School Committee Chair

\_\_\_\_\_  
Date

3/6/17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Superintendent of Schools

3/6/17  
\_\_\_\_\_  
Date

## DiNapoli, MaryAnn

---

**From:** Diane Marobella <diane\_marobella@wayland.k12.ma.us>  
**Sent:** Monday, March 06, 2017 10:05 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** Fwd: WAYLAND YOUTH FISHING DERBY

----- Forwarded message -----

**From:** Tom Antonellis <[tomantonellis@verizon.net](mailto:tomantonellis@verizon.net)>  
**Date:** Sat, Mar 4, 2017 at 8:50 AM  
**Subject:** WAYLAND YOUTH FISHING DERBY  
**To:** Diane Marobella <[diane\\_marobella@wayland.k12.ma.us](mailto:diane_marobella@wayland.k12.ma.us)>

Good Day Diane

It is that time of year again and planning for my 18th year organizing the Wayland Youth Fishing Derby.

Looking to set the sandwich boards out again at the 3 elementary schools for a week prior to derby

As well if you can pass this along to our selectpersons to see if it can go to the cochituate fire house for a few days prior as well

Please extend invite to the entire town officials and team there as well

Don't be caught anywhere else ! Rain or shine the fish don't care if it rains !

[www.waylandfishingderby.com](http://www.waylandfishingderby.com)

like us on facebook

Tom

--  
Diane M. Marobella  
Administrative Assistant  
Superintendent's Office  
Wayland Public Schools  
41 Cochituate Road  
Wayland, MA 01778  
508-358-3763  
508-358-7708 fax

## DiNapoli, MaryAnn

---

**From:** Laurel Whitehouse <laurel.whitehouse@gmail.com>  
**Sent:** Thursday, March 09, 2017 9:15 AM  
**To:** DiNapoli, MaryAnn  
**Subject:** Eagle Scout commendations

Hi MaryAnn,

Did I request letters of commendation from the town for:

- Ethan Jeffrey Batt
- Quinn Owen Fay
- Nikolaus Richard Kemper
- Nathan Wencheng Zhao

Ethan and his team performed trail restoration at the Trout Brook trail conservation area. Quinn and a large team of volunteers replaced a section of boardwalk over 100 feet in length over a boggy section of trail at Greenways. Nikolaus built a decorative gate and a bench for the new produce garden learning area at Happy Hollow elementary school. Nathan led a group to replace and upgrade a trail kiosk at the Cow Commons conservation area.

I seem to recall asking before, but I can't find their certificates. Hope I haven't misplaced them!  
Laurel



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

**REVISED PUBLIC DOCUMENTS PROVIDED TO THE  
BOARD OF SELECTMEN FROM MARCH 3, 2017,  
THROUGH AND INCLUDING MARCH 9, 2017,  
OTHERWISE NOT LISTED AND INCLUDED IN THE  
CORRESPONDENCE PACKET FOR MARCH 13, 2017**

**Items Distributed To the Board of Selectmen –March 3-9, 2017**

1. None

**Items Distributed for Information and Use by the Board of Selectmen at the  
Meeting of March 6, 2017**

1. None

**Items Included as Part of Agenda Packet for Discussion During the March 13, 2017  
Board of Selectmen's Meeting**

1. Memorandum of 3/13/17 from Nan Balmer, Town Administrator, to Board of Selectmen, re: Mainstone
2. Memorandum of 3/10/17 to Board of Selectmen re: Minutes of March 6, 2017, not Available for Packet
3. Report of the Town Administrator for the Week Ending March 10, 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, March 13, 2017**  
**Large Hearing Room**  
**Wayland Town Building**  
**41 Cochituate Road Wayland**

## CORRESPONDENCE

### Selectmen

1. Memorandum of 3/7/17 from Beth R. Klein, Town Clerk, to Board of Selectmen, re: Resignation of Michael R. Connors from Zoning Board of Appeals
2. Monthly Report, Police Department, February 2017

### Minutes

3. Housing Partnership, February 14, 2017
4. Municipal Affordable Housing Trust Fund Board, December 7, 2016, February 1, 2017
5. Personnel Board, February 13, 2017
6. Public Ceremonies Committee, February 8, 2017



# TOWN OF WAYLAND

MASSACHUSETTS  
01778

1

**TOWN CLERK**

Beth R. Klein

[bklein@wayland.ma.us](mailto:bklein@wayland.ma.us)

**ASSISTANT TOWN CLERK**

Diane M. Gorham

[dgorham@wayland.ma.us](mailto:dgorham@wayland.ma.us)

**TOWN BUILDING**  
41 COCHITUATE ROAD  
Wayland, MA 01778

TEL: 508-358-3630

508-358-3631

FAX: 508-358-1683

[www.wayland.ma.us](http://www.wayland.ma.us)

Date: March 7, 2017  
To: Board of Selectmen ✓  
From: Beth R. Klein, Town Clerk  
RE: Resignation of Appointed Official

Please be informed that the attached letter of resignation was received in the Town Clerk's Office effective February 22, 2017:

Michael R. Connors  
Term Expires:

Zoning Board of Appeals  
June 30, 2017

Pursuant to Chapter 41: Section 109. No resignation of a town or district officer shall be deemed effective unless and until such resignation is filed with the town clerk or district clerk.

cc: Nan Balmer, Town Administrator  
Eric Goldberg, Chair Planning Committee  
Geoffrey Larsen, Building Commissioner  
Michael R. Connors

**Klein, Beth**

---

**From:** Gorham, Diane  
**Sent:** Tuesday, February 21, 2017 1:12 PM  
**To:** Michael Connors; Klein, Beth  
**Subject:** RE: Resignation from Zoning Board of Appeals

Mike,

Beth is away on Vacation this week.

Your email should be adequate, but if we do need anything else, we will let you know.

Respectfully,  
Diane

**From:** Michael Connors <[REDACTED]>  
**Sent:** Tuesday, February 21, 2017 12:38 PM  
**To:** Klein, Beth; Gorham, Diane  
**Subject:** Fwd: Resignation from Zoning Board of Appeals

Town Clerk Klein,  
I received an email that included Diane's contact info for the Town Clerk. Sorry for any confusion. Additionally, I tried to call but it went to voicemail. Please see my Resignation from the ZBA Below. Please confirm receipt at your earliest convenience. If anything else is needed, please let me know. Thank you,  
Mike Connors

[REDACTED]

----- Forwarded message -----

**From:** Michael Connors <[REDACTED]>  
**Date:** Tue, Feb 21, 2017 at 11:53 AM  
**Subject:** Re: Resignation from Zoning Board of Appeals  
**To:** [nbalmer@wayland.ma.us](mailto:nbalmer@wayland.ma.us), "Gorham, Diane" <[dgorham@wayland.ma.us](mailto:dgorham@wayland.ma.us)>  
**Cc:** [mdinapoli@wayland.ma.us](mailto:mdinapoli@wayland.ma.us), [ereef@wayland.ma.us](mailto:ereef@wayland.ma.us)

Town Clerk Gorham,  
I have been informed that my email below Resigning form the Zoning Board of Appeals effective Immediately should have been sent to you. At your earliest convenience, please confirm receipt. If anything else is needed, please let me know. Thank you,  
Mike Connors  
4 Highgate Road  
[REDACTED]

On Tue, Feb 21, 2017 at 11:44 AM, Michael Connors <[REDACTED]> wrote:  
Town Administrator Balmer,



Please accept this email Resignation in your capacity as the point of contact (as listed on the Town's website) for the Board of Selectmen, my appointing authority.

My wife Sarah and I moved to Wayland in 2010 and after volunteering to serve, I was appointed as an Associate Member of the Zoning Board of Appeals (ZBA) by the Board of Selectmen on January 3, 2011. Subsequently, I was appointed as a Member of the ZBA and my wife and I have been blessed with two healthy boys John and Danny.

Danny was born prematurely last July 9th causing me to unexpectedly take some time away from the ZBA. I enjoyed serving on the ZBA and hoped to return when things "settled down".

During my absence, I have been in touch with Chairman Goldberg to let him know that I could be available on short notice if needed to make a quorum. Despite the fact that this has not been necessary, I have come to the realization that my obligations to my family will not allow me to effectively serve on the ZBA in the near future.

My term expires in June of this year but please accept my Resignation effective Immediately so that the Board of Selectmen can replace me with a Member that can better share the workload of the ZBA.

If you have any questions or comments, please let me know.

Mike Connors

4 Highgate Road  






# WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



ROBERT IRVING  
CHIEF OF POLICE

## Monthly Update

### February 2017

On February 3<sup>rd</sup> a Wayland man was charged with Disturbing the Peace after he acted in an inappropriate manner in front of several women and a 12 year old girl at Starbucks. The man appeared to be intoxicated and officers placed him in protective custody.

On February 21<sup>st</sup> a Boston man was arrested for Breaking and Entering and possession of Class A and Class E drugs. The arrest came as a result of a complaint from a relative that the man had illegally entered their home.

There were three O.U.I. arrests made by officers during the month of February. On February 2<sup>nd</sup> a Westborough man was arrested after he was observed travelling at a high rate of speed on Boston Post Road. The man failed a sobriety test and was placed under arrest for O.U.I and Speeding. On February 17<sup>th</sup> a Hudson man was arrested after he was observed operating outside of marked lanes on Boston Post Road. Upon stopping the vehicle it was observed that he had glassy eyes and he was covered in vomit. The man admitted that he was under the influence of marijuana. He failed sobriety tests and was taken into custody charged with O.U.I. Drugs and Marked Lanes Violation. On February 23<sup>rd</sup> a Leominster man was arrested after police received a 911 call that a white pick-up truck was all over the road. An officer located the vehicle travelling west on Boston Post Road and stopped the vehicle. The man failed sobriety tests and was charged with O.U.I.

On February 25<sup>th</sup> all Wayland Patrol Officers began carrying the life-saving drug Naloxone in their cruisers. Nasal Naloxone is marketed under the trade name "Narcan" and is used in cases of opioid overdose. The drug can quickly reverse the effects of a potentially fatal overdose by displacing the opioid drug from receptors in the brain. Naloxone does not have significant side effects and it is not dangerous if administered to someone who is not overdosing. The initial doses of Narcan were supplied through a program sponsored by the Middlesex District Attorney's Office.

Wayland officers have been trained in the proper use of the drug, joining Wayland firefighters and school nurses in being able to administer the drug in cases of opioid overdose.

Opioid overdoses are currently a leading cause of death in Massachusetts, with 345 deaths in Middlesex County alone in 2015. The ability for first responders to administer this drug is an important piece in the overall battle against opioid addiction that Massachusetts and many other states are facing today.

On February 16<sup>th</sup>, Officer Kenneth E. Davis II graduated from the Reading Police Recruit Academy. Officer Davis will be sworn in as a police officer at an upcoming Board of Selectmen's meeting. He will now undergo three months of field training, while working with a Wayland Field Training Officer on a patrol shift.

A handwritten signature in blue ink, appearing to read "Robert Irving", with a long horizontal flourish extending to the right.

Robert Irving  
Chief of Police

## Wayland Police Department Detective Division Report for February 2017

### INVESTIGATIONS

Larceny over \$250 – Andrew Avenue  
Identity Theft – Oak Street  
Drug Investigation  
Drug Investigation  
Threats – Woodridge Road  
Vandalism/Larceny over \$250 – Boston Post Road  
Cyber Crime – Boston Post Road

### MEETINGS/TRAININGS

LOVE and Compassion Teen Training  
RAD (Rape Aggression Defense)  
Youth Advisory Committee  
EMS Training  
Homicide Investigation Training  
Wayland Youth and Family Services Meeting  
Inservice Training

### MISCELLANEOUS

Framingham District Court – MV/Criminal Hearings  
Narcan Instituted  
Medical kits updated  
PBT Accuracy checked  
BT Machine to OAT  
Evidence Prep for Audit  
Applied Patrol Procedures for new officer

### COMMUNITY SERVICES

Coffee with Cops – Traditions of Wayland  
Bingo, Coffee with Cops – Carriage House  
ALICE Training (Town hall)  
Goddard School Reading  
Mock car crash set up

***Wayland Police Department  
Monthly Training Report***

Officers of the Wayland Police Department attended the following training programs during the month of February 2017:

***In-Service***

MPTC  
Boylston Academy

Mark Wilkins  
Charles Akins

February 6-9, 2017  
February 13-16, 2017

***Homicide Investigation & Crime Scene Management***

Inside the Tape – Instructor David Newman  
Weston PD

Chris Cohen

February 7-9, 2017

***Rape Aggression Defense –R.A.D.***

R.A.D. Defense Systems  
Newton, Ma

Jamie Berger  
Tyler Castagno  
Mark Hebert

February 27-Mar 1, 2017



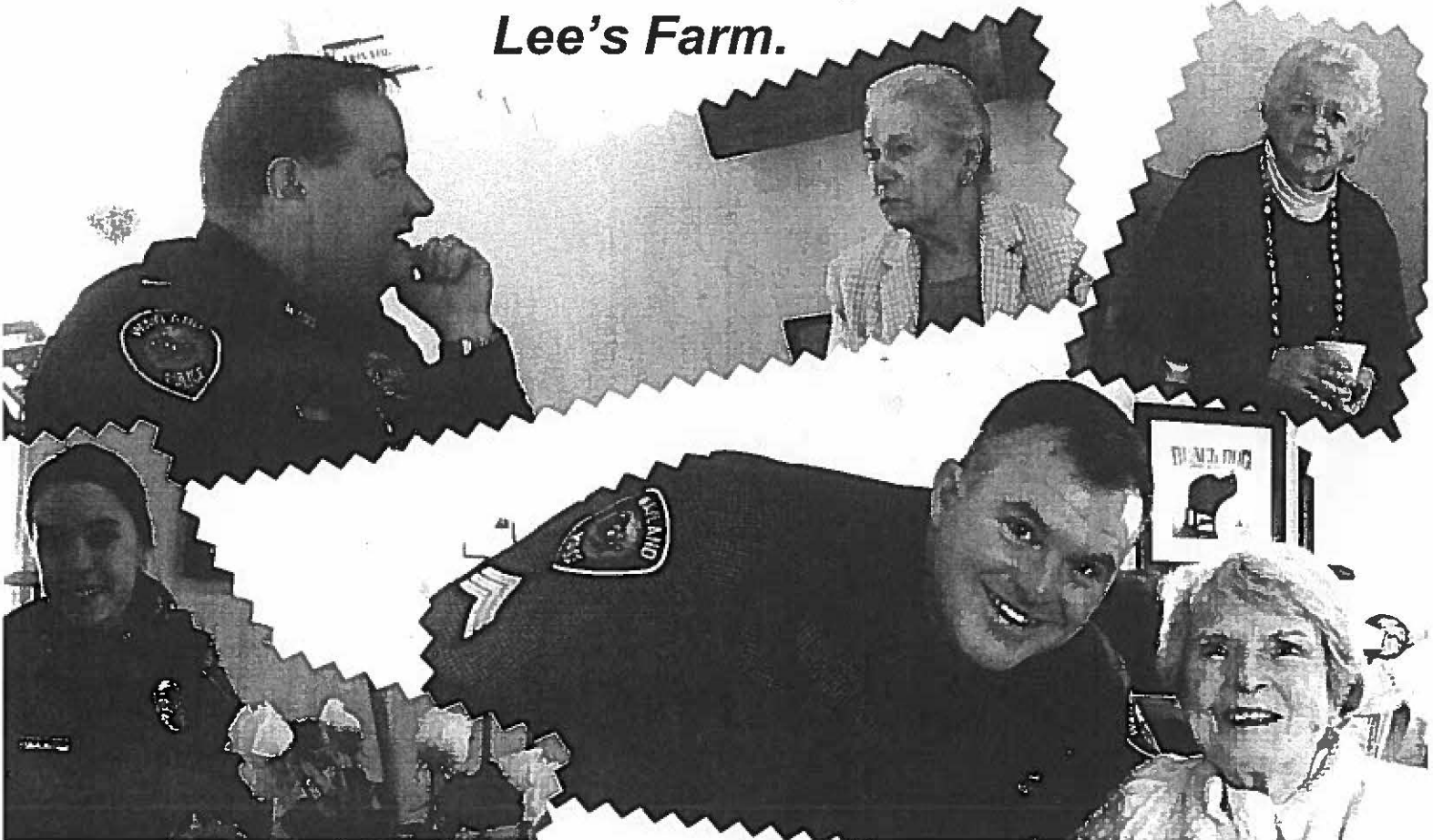


***We want to thank you for joining us for  
“Breakfast & Bingo” again this year.***

***We appreciate all you do for us, and for the  
entire Wayland community!***

***Sincerely,***

***The Residents at the Carriage House at  
Lee’s Farm.***



Linda K Saleh

Mary Egan

Jean Anderson

Ed Allen

Fais Farnsworth

Tim Breneck

Bob Higgins

Lois Laird

Edward J. Feinberg

Chris Sullivan Had Fun  
D. Frank

Maryle Ched

Doris Charney

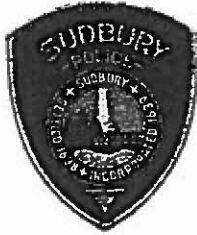
Steve & Maske

by Susan

Jerry DeSalvo



Don... [unclear]



# Sudbury Police Department

## Office of the Chief of Police

75 Hudson Road  
Sudbury, MA 01776  
Business (978) 443-1042  
Fax (978) 443-1045  
nixs@sudbury.ma.us

**Scott Nix**  
*Chief of Police*

February 27, 2017

Chief Robert Irving  
Wayland Police Department  
38 Cochituate Road  
Wayland, MA 01778

Chief,

I am writing to commend the response of your officers in assisting with a B&E in progress at our Methodist Church the morning of February 24<sup>th</sup>. Officers Christopher Hanlon and Justin Kazan responded promptly to our request that greatly enhanced our ability to safely search a large facility while maintaining a perimeter. We were able to take a suspect in custody on a number of felony charges who is well known to law enforcement. Their professionalism and willingness to assist is much appreciated. They reflected positively on themselves as well as the Wayland Police Department. Thank you!

Respectfully,

A handwritten signature in black ink, consisting of a series of loops and a final flourish.

Scott Nix  
Chief of Police

**Irving, Robert**

---

**From:** Mary Antes <[REDACTED]>  
**Sent:** Sunday, March 05, 2017 8:10 PM  
**To:** Irving, Robert; Irving, Robert; Houghton, David  
**Subject:** Thanks

Hi,

John and I were at the concert at First Parish Church on Friday night. During intermission both fire and police personnel cared for a woman who was unresponsive and transported her to a hospital (I assume). We just want to commend the first responders for the care, respect, and calm and low key manner in which they handled the situation. The concert continued and people were comforted knowing that the woman was being well cared for.

Thanks to all involved.

Mary and John Antes



**WAYLAND HOUSING PARTNERSHIP  
Minutes – February 14, 2017  
Submitted by Christine DiBona  
Unanimously approved March 7, 2016**

Attending: Mary Antes, Joanne Barnett, Pat Harlan, Jennifer Steel, Armine Roat, Chris DiBona

Absent: Rachel Bratt, Stephanie May, Kathy Boundy

At 7:35 Chris DiBona (acting as committee chair in Rachel Bratt’s absence) called the meeting to order.

**Minutes of January 10, 2017:** Minutes were accepted as submitted without corrections. Jennifer moved to accept, Mary seconded. Unanimously approved.

**Joint meeting with Planning Board March 7:** Presentation from developer of a proposed 40B development on School Street in Cochrasset (“Windsor Place”). All WHP members present said they are able to attend this meeting in place of previously scheduled WHP meeting on 3/14. Time of meeting will be based upon time posted by Planning Board.

**Update on “40B Process in Wayland” document:** Sub-committee of Mary, Joanne and Jennifer has not yet moved forward on reviewing and revising. Currently working on a mutually agreeable date to meet.

**Overview of 40B Housing rationale and goals:** Because developer Steven Zieff had not arrived after general WHP business was concluded and fifteen neighbors awaited a presentation, Chris gave a brief background of the 40B housing program and its effects on the town of Wayland. Members of the audience asked appropriate and respectful questions, and answers were given by Chris, Mary and Jennifer.

**Presentation from developer Steven Zieff on “Brookside”/Mahoney’s project:** Mr. Zieff arrived at 7:50 and began with a summary of his history of living in Wayland and projects he had worked on locally such as the Town Safety building. He was clearly very proud of his portfolio and reputation, saying that he now lives in one of his own buildings, Longview Place in Waltham.

Mr. Zieff did not have a prepared presentation, so the discussion quickly turned to neighborhood concerns such as traffic flow. Mr. Zieff claims there are currently 19,000 daily trips past the Mahoney’s site (source: Wayland Town Planner) and he feels the Brookside development will make the traffic situation *better*, not worse. A full traffic study will be undertaken as part of due diligence, but Mr. Zieff feels there is little chance the state will feel a traffic light at the site is called for. Neighbors in attendance pushed for details on traffic mitigation, but Mr. Zieff was unable to offer concrete details of any particular plan.

Mr. Zieff was pleased to report that the most recent analysis of the site revealed no Underground Storage Tank, which would have been problematic and costly to remove. The property is approximately 7 acres, with some of that acreage including the river/stream. Despite neighbors' requests for drawings or descriptions of how buildings might be situated on the site, Mr. Zieff said that he had not yet decided how to lay out the project.

Unfortunately, the tone of the meeting became very uncomfortable. As Mr. Zieff became increasingly aggressive and inappropriate, and as WHP members and residents asked questions. Mr. Zieff's behavior suggested that he was feeling attacked by neighbors even though, in the view of WHP members, the questions posed were reasonable and relevant. At one point, he strongly insinuated that the neighbors were ignorant, and if they wished to put up the money to purchase the property and take the risk as he has done, they could have more say in how it is developed.

Jennifer attempted to redirect the meeting by asking for a project timeline moving forward. Mr. Zieff said he expects to file for a comprehensive permit within the next 90 days, at which time he will have to present detailed architectural drawings as well as the results of due diligence studies. The topic of building height came up, and neighbors expressed concerns about the potential for a four-story structure. Mr. Zieff responded that the proposal of four stories is merely a "placeholder," but he would not make any promises as to actual plans regarding the height of his buildings. Again, some audience members expressed frustration at the lack of tangible details being presented.

Jennifer asked Mr. Zieff if he would be agreeable to some sort of community group process, which could present questions to him. He claimed to be interested in such community participation, but members of the audience questioned how willing he would be to consider suggestions. There is already a neighborhood group formed which communicates via email. A sign-up sheet was circulated to the audience to provide names and emails so Mr. Zieff, and perhaps the WHP, could participate in the group's interchanges.

The meeting concluded with two comments from members of the WHP: Jennifer implored Mr. Zieff to be kinder to the neighbors and not assume they are out to stop his project despite their concerns. Joanne also requested that future meeting involving the WHP and Mr. Zieff be taped.

At 9:25, Joanne made a motion to adjourn, seconded by Armine.

Post meeting note: Upon hearing of Mr. Zieff's behavior at the meeting, the Wayland Police Chief suggested that any such future behavior on the part of Mr. Zieff would warrant a call to the police and his removal from a public meeting.

**Wayland Municipal Affordable Housing Trust Fund**  
December 7, 2016 Meeting  
Wayland Town Building

**MINUTES**  
as approved 1/4/2017

Present: Mary Antes, Chair; Brian O’Herlihy, Susan Weinstein, Jennifer Steel, Mike Staiti, Stephen Greenbaum; Trustee Kevin Murphy entered at 7:35pm.  
Other: Brian Boggia, Housing Authority Executive Director

M. Antes called the meeting to order at 7:32pm.  
There was no public comment.

B. O’Herlihy moved approval of the November 9, 2016 meeting minutes, as amended; seconded by M. Staiti; approved 6-0.

M. Staiti and B. Boggia presented information regarding development of two possible units on WHA properties. WHA had previously requested authorization from HUD to develop an additional unit but HUD won’t subsidize more public housing units in Wayland. They met with HUD representatives in Boston to discuss the possibility of adding Trust-funded units on WHA property. Several issues were discussed.

- The units under consideration would be rented for \$1,300 1-br and \$1,600 2-br as under Chapter 40B [132 Commonwealth].
- The estimated conversion cost is \$60-80k [132].
- The assumption is that Trust would pay for most of it [both properties].
- The WHA would need to hold public hearing in order to reallocate funds [both].
- 132 Commonwealth has been challenging to lease, heat, etc. Comprehensive permit was granted to make it into 2 2-br units, but HUD opposed conversion of the unit. The septic system is 5-bedroom compliant but needs upgrading [132].
- The benefit of Trust owning the units is that there would be no real estate taxes assessed. However, it could be complex to divide the property for tax purposes and there are complications involved in getting a release from HUD [both].
- If such development occurs after Wayland reaches its affordable housing goal, Chapter 40B would still be available, though the ZBA would not be obligated to accept it [both].
- M. Staiti said there are possibly 4 sites that could accommodate another unit.

M. Staiti moved that the Trustees approve spending up to \$5,000 for legal costs, Local Initiative Program (LIP) application preparation, and septic inspection to convert 132 Commonwealth from one 5-bedroom unit to two 2-bedroom units. We would still need to resolve the ownership issue but will initially move forward under WHA ownership; seconded by B. O’Herlihy; approved unanimously. M. Staiti will reach out to the neighbors.

B. O’Herlihy suggested requesting pro bono work from the new town counsel. It would be nice to meet them, so the trustees would like to invite them to a future meeting.

The more challenging property is 222 Commonwealth with 2 2-bedroom units. The septic system is designed for six bedrooms. The property is not fully in compliance with zoning; except for the setbacks, it is otherwise conforming. The idea is to develop in accordance with the LIP process, with

the building being an energy-efficient, 1,000-square foot, 2-bedroom unit. The rough estimated building cost is \$200,000-\$225,000, but higher when prevailing wage rates apply.

M. Antes said that Habitat for Humanity MetroWest/Greater Worcester might be interested in building on WHA property; however, she does not know if they would build a rental unit because they use a home ownership model.

The Trust would need to spend money on architectural plans and initial legal costs. We can use CPA funds for architectural plans and legal costs if they are related to development of “community housing” units as defined in the CPA. If we leave the land in WHA ownership and don’t add to the HUD inventory, the transaction is able to be approved in HUD’s Boston office. The consensus was to wait to request a release regarding asset ownership until the proposal has approval from the applicable Town boards.

M. Staiti moved to approve expenditures up to \$10,000 for engineering, legal, and architecture costs to build a second structure/third unit at 222 Commonwealth; seconded by B. O’Herlihy; approved unanimously.

B. O’Herlihy noted that Town Administrator Nan Balmer had asked to be kept apprised of our plans, so M. Staiti will get in touch with her and provide an update.

The Town Planner asked M. Staiti to be in touch with the owner of 13 King Street, a conforming 2-family home that owes \$160,000 in back taxes. Owner lives on the Cape, not paying taxes, not doing maintenance. The Trustees discussed whether there would have to be an auction after foreclosure or whether the Trust could acquire by the property through purchasing the tax lien. S. Greenbaum will get in touch with the Town Treasurer regarding the status of the tax foreclosure and whether the Town would sell the tax lien to the Trust.

The Wayland Real Assets Planning (WRAP) Committee has looked at the largest town-owned parcels in town and will conclude its work without addressing the entire inventory of town-owned properties.

B. O’Herlihy reported that Eric Goldberg, ZBA Chair, could talk to the Trustees about process but would not comment on how the ZBA might decide a case. He was willing to provide previous decisions that might inform the Trust.

The Trustees continue to support the idea of creating a replicable, streamlined process for 40B proposals.

M. Antes spoke with Sarada Kalpee, our Director of Veterans’ Services; Julie Secord from the Council on Aging; Bonnie Biocchi, Habitat MetroWest Development Director; and Ellen Brideau about a small grants program. The Habitat small grants program requirements are that the owner must live in the house, be within 30-60% AMI, and the repairs must be necessary for health and safety. Their concern was publicity, how people can learn about the small grant program for health and safety repairs. Habitat provides the workers and the money. Money that is contributed by Home Depot can only be used for Veterans. The Trust might be able to add to the \$5,000 from Habitat.

M. Antes will ask attorneys about the Anti-Aid Provision. She heard it does not apply for affordable housing. (Relevant text of MA Constitutional Amendment is appended.)



B. O'Herlihy inquired about whether this is mission aligned., as the Trust is for the benefit of housing for low- and moderate-income people, and it is not clear whether the Trust supporting repairs to a \$400,000 house, for example, is serving the Trust's purposes.

S. Weinstein had nothing to report regarding the website. She did, however, report that the Community Preservation Committee had voted in favor of allocating \$20,000 to hire a consultant to work on affordable housing issues with the Trust and the Housing Partnership. N. Balmer suggested that Trust and Housing Partnership might combine functions. This means that the Trustees need to consider whether we would want to take on additional responsibilities.

B. O'Herlihy reported that the Town paid the auditors and reimbursed itself the amount of our charges from our account. He facilitated the investment of \$200,000 in 2 18-month CDs at 1.24%. He did not open an additional CD because interest rates are increasing. The Trustees agreed to consider whether to reinvest in June and also not to invest in an additional CD at this point.

J. Steel presented the summary that she and S. Weinstein had produced to promote affordable housing in Wayland. It emphasizes that people will need to accept change in order to make progress on providing sufficient affordable housing. S. Weinstein will work on a draft for public consumption.

For the next meeting, on January 4:

- Updates on the two Commonwealth Road properties
- Discussion regarding the Karen Sonnarborg report
- Update on King Street property
- Update on Alpine Road school-owned property.

Kevin Murphy, Planning Board representative to the Trust, is resigning. The Planning Board is recommending that Bob Duffy take Kevin's place. The Trustees extended appreciation to Kevin for all he has done for the Trust.

K. Murphy moved we adjourn, S. Greenbaum seconded, voted unanimously.

Meeting adjourned at 9:16pm.

Respectfully submitted,  
Susan Weinstein

Documents discussed at meeting:

- Draft minutes of November 9, 2016
- Memo re 132 and 222 Commonwealth
- Pro Forma, 222 Commonwealth
- Treasurer's report, MAHTF at 10/31/16

APPENDIX: Anti-Aid Provision, Amendment to MA Constitution

Article XVIII.

Section 1. No law shall be passed prohibiting the free exercise of religion.

Section 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any other school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.]

....

**Municipal Affordable Housing Trust Fund (MAHTF)  
Meeting Minutes – February 1, 2017**

**Attendance:** Mary Antes; Bob Duffy; Stephen Greenbaum; Brian O’Herlihy; and Jennifer Steel.

**Absent:** Michael Staiti; Susan Weinstein

**Others in attendance:** Brian Boggia, Executive Director – Wayland Housing Authority.

**Open Meeting:** M. Antes called the meeting to order at 7:30 P.M. at the Wayland Town Building. B. O’Herlihy agreed to keep the minutes of the meeting.

**Public Comment:** Molly Upton, Bayfield Road, asked Trustees to comment on what the Trust’s funds have been used for to date.

**Previous Minutes:** None.

**Materials Discussed/Distributed:** MAHTF financial statements (unaudited) as of January 31, 2017; summary of various Trustees’ comments provided to M. Antes on recommendations contained in Karen Sunnarborg’s report dated October 3, 2016 (“Sunnarborg Report”).

**Notes:**

- 1) In response to public comment, M. Antes gave a brief update on use of Trust’s funds, including payments for required annual audits.
- 2) M. Antes reported that representative(s) from KP Law would not be attending the meeting to discuss collaboration with WHA/HUD to expand affordable housing (as noted in the agenda). M. Antes reported that she would be meeting with representative(s) from KP Law on February 9, 2017 to provide background on the WHA proposal to expand housing on two existing HUD scattered site locations in order to determine if anyone at KP Law has experience in dealing with situations similar to WHA’s proposal. Representatives from KP Law may attend a future Trust meeting in order to introduce themselves to the Trustees and, perhaps, to discuss the WHA proposal.

B. Boggia updated the Trustees on his discussion with a consultant that advises communities with respect to HUD housing units and disposition process. Given that WHA’s proposal involves the potential creation of only two additional housing units, the cost of hiring an outside consultant may not be feasible (estimate of \$3,000 to \$5,000 for preliminary scope of work discussed with the consultant noted above).

B. O’Herlihy agreed to contact P. Smith and/or K. Maguire (developers of the Nike Site affordable housing) to see if they have experience dealing with HUD at scale proposed by WHA and report back to the Trustees at the next meeting. B. Boggia agreed to review the balance of the scattered site inventory to see if there were any other opportunities for development of additional units to improve economics of hiring consultant.

- 3) B. O’Herlihy mentioned that he had sent an email to the owner of 265 Concord Road (9+ acres of vacant land), after seeing the property listed for sale for \$300,000, to see if the owner might be interested in donating the property to the Trust. To date, there has been no response to his inquiry. M. Antes provided an update on a discussion she had with the Town’s Treasurer regarding a potential tax title foreclosure at 8 Anthony Road. B.

O’Herlihy agreed to research the property, have a follow up conversation with the Town’s Treasurer and report back to the Trustees at the next meeting.

- 4) Minutes of meeting held on January 4, 2017 were not available for review and, therefore, action to approve such minutes was deferred until the next meeting.
- 5) B. O’Herlihy provided the report of the Treasurer which included a review of the MAHTF financial statements (unaudited) as of January 31, 2017.
- 6) M. Antes noted that N. Balmer, Town Administrator, wants to meet with a representative of both the Trust and the Housing Partnership to get input on the recommendations contained in the Sunnarborg Report. M. Antes noted that she and S. Weinstein have potential conflicts with respect to one of the recommendations in the report given their positions on the Board of the WHA (which has an interest in providing monitoring services). The Trustees agreed to have B. O’Herlihy represent the Trust at the meeting.
- 7) M. Antes reviewed feedback she received from a number of the Trustees with respect to the recommendations contained in the Sunnarborg Report. The Trustees generally agreed with the following feedback to be provided to N. Balmer:
  - a) Stay with the “status quo” structure of the Trust and Housing Partnership for now; in the case of the Trust, this means acting more like a “bank” for the creation and/or preservation of affordable housing;
  - b) Openness to potential changes down the road, although one Trustee expressed a desire to explore potential for near term alternatives to improve certain processes and efficiencies, e.g., creation of an ad hoc committee made up of members from the Trust, Housing Partnership and, possibly, the Permanent Building Committee to review future Chapter 40B proposals.
  - c) Support for part time employee/consultant paid for with CPC funds to be requested at upcoming Annual Town Meeting. Possibly share an employee/consultant with a neighboring community, e.g., Weston, Sudbury, etc.
  - d) Consider having a meeting of affordable housing groups, Planning Board and Board of Selectmen, facilitated by a third party facilitator, in order to develop shared goals and objectives for Town’s efforts to create and preserve affordable housing units.
  - e) Support for having Town control monitoring process; openness to having WHA function as monitoring agent, although source of funding needs to be evaluated – not totally clear if upcoming ATM request for additional CPC funds covers both part time employee/consultant and monitoring.
- 8) M. Antes indicated the next meeting is tentatively scheduled for March 8, 2017 at 7:30 P.M. at the Wayland Town Building (which was moved from March 1<sup>st</sup> in order to accommodate schedule of at least one Trustee).

Adjourn: B. Duffy moved to adjourn the meeting at approximately 9:40 P.M. S. Greenbaum seconded. Motion approved 5-0.

Respectfully submitted,

Brian T. O’Herlihy

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

**BALANCE SHEET  
(Unaudited)  
As of January 31, 2017**

	Current Month	Prior Month	Variance
<b>ASSETS</b>			
Cash and cash equivalents	\$ 500,627.94	\$ 500,667.92	\$ (39.98)
Investments <sup>1</sup>	<u>606,800.46</u>	<u>606,076.02</u>	<u>724.44</u>
<b>Total assets</b>	<b><u>\$ 1,107,428.40</u></b>	<b><u>\$ 1,106,743.94</u></b>	<b><u>\$ 684.46</u></b>
<b>LIABILITIES AND FUND BALANCES</b>			
Accounts payable	\$ 0.00	\$ 125.00	\$ (125.00)
<b>Total liabilities</b>	<b><u>0.00</u></b>	<b><u>125.00</u></b>	<b><u>(125.00)</u></b>
<b>FUND BALANCE</b>			
Nonspendable	0.00	0.00	-
Restricted	1,107,428.40	1,106,618.94	809.46
Committed	0.00	0.00	-
Assigned	0.00	0.00	-
Unassigned	<u>0.00</u>	<u>0.00</u>	<u>-</u>
<b>Total fund balance</b>	<b><u>1,107,428.40</u></b>	<b><u>1,106,618.94</u></b>	<b><u>809.46</u></b>
<b>Total liabilities and fund balance</b>	<b><u>\$ 1,107,428.40</u></b>	<b><u>\$ 1,106,743.94</u></b>	<b><u>\$ 684.46</u></b>

<sup>1</sup> Represents \$400,000 and \$200,000 deposited in 18-month certificates of deposit at The Village Bank - maturity dates of July 11, 2017 and May 29, 2018, respectively, and interest rates of 1.49% and 1.24%, respectively, (subject to prepayment penalty on any portion withdrawn prior to maturity date). The amount shown above includes accrued unpaid interest.



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

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
(Unaudited)  
For the Period July 1, 2016 to January 31, 2017**

	<u>Committed</u>	<u>Restricted</u>	<u>Current Month Total</u>	<u>Prior Month Total</u>	<u>Variance</u>
<b>REVENUES</b>					
Investment income	\$ 0.00	4,739.56	\$ 4,739.56	\$ 3,930.10	\$ 809.46
<b>Total revenues</b>	<b>0.00</b>	<b>4,739.56</b>	<b>4,739.56</b>	<b>3,930.10</b>	<b>809.46</b>
<b>EXPENDITURES</b>					
Professional fees	(0.00)	(2,625.00)	(2,625.00)	(2,625.00)	-
<b>Total expenditures</b>	<b>(0.00)</b>	<b>(2,625.00)</b>	<b>(2,625.00)</b>	<b>(2,625.00)</b>	<b>-</b>
<b>Excess of revenues over expenditures</b>	<b>0.00</b>	<b>2,114.56</b>	<b>2,114.56</b>	<b>1,305.10</b>	<b>809.46</b>
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfers in - Town of Wayland	0.00	0.00	0.00	0.00	-
<b>Total other financing sources (uses)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-</b>
<b>NET CHANGE IN FUND BALANCE</b>	<b>0.00</b>	<b>2,114.56</b>	<b>2,114.56</b>	<b>1,305.10</b>	<b>809.46</b>
<b>FUND BALANCE, AT JULY 1, 2016</b>	<b>0.00</b>	<b>1,105,313.84</b>	<b>1,105,313.84</b>	<b>1,105,313.84</b>	<b>-</b>
<b>FUND BALANCE, AT JANUARY 31, 2017</b>	<b>\$ 0.00</b>	<b>\$ 1,107,428.40</b>	<b>\$ 1,107,428.40</b>	<b>\$ 1,106,618.94</b>	<b>\$ 809.46</b>

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

**STATEMENT OF CASH FLOWS  
(Unaudited)**

For the Period July 1, 2016 to January 31, 2017

<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>	
Change in fund balances	\$ 2,114.56
Adjustments to reconcile change in net assets to net cash provided by operating activities:	
Unrealized investment income - certificate of deposits	(3,983.74)
Change in:	
Inclusionary housing payments receivable	25,582.86
Net cash provided by operating activities	<u>23,713.68</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>	
Investments - certificates of deposit	<u>(200,000.00)</u>
Net cash used in investing activities	<u>(200,000.00)</u>
<b>NET CHANGE IN CASH AND CASH EQUIVALENTS</b>	<b>(176,286.32)</b>
<b>CASH AND CASH EQUIVALENTS, AT JULY 1, 2016</b>	<u>676,914.26</u>
<b>CASH AND CASH EQUIVALENTS, AT JANUARY 31, 2017</b>	<u>\$ 500,627.94</u>

Personnel Board Meeting  
Wayland Town Building – Selectmen’s Office  
Minutes  
February 13, 2017 7:15 pm

Members Present: D. Cohen (DC); J. Green (JG); P. Schneider (PS); M. Jones (MJ)

Also Present: J. Senchyshyn (JS)

DC called the meeting to order at 7:15 pm.

Public Comment

None

Recreation Seasonal Positions

Rec Director J. Brodie (JB), Rec Program Coor K. Brenna (KB) and Rec Board Member A. Foster (AF) joined the meeting. JS provided introductory background. The change in the minimum wage will increase seasonal expenses by approximately \$20K. Proposed operational changes will increase approximately another \$39K. JB spoke to the Department’s goal of having their recreation programs certified by the state. Certification will increase staff due to the ratio of counselors to campers. KB spoke to the difficulty of hiring lifeguards, particularly in a beach setting. Discussion ensued on funding the positions from the revolving fund, peer towns and Wayland’s unique facilities.

MJ moved to approve the proposed seasonal pay rates for the summer 2017 recreation programs. PS seconded the motion. Four members having voted in the affirmative, the motion passed.

Executive Session

DC moved that the Personnel Board go into executive session pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(3) to Discuss Strategy for Upcoming Collective Bargaining Negotiations for the Police, Fire, AFSCME 1, AFSCME 2, Library and Teamsters Unions; to Discuss Strategy with Respect to Non-union Wage Increases; and to Review and Potentially Approve Executive Session Minutes of 1/23/17.

The Chair declared that a public discussion of these items will have a detrimental effect on the bargaining position of the Town.

MJ seconded the motion.

DC took a roll call vote:

- Member Schneider Aye
- Member Jones Aye
- Member Green Aye
- Chair Cohen Aye

DC announced that the Board will reconvene in open session in approximately 20 minutes.

The Board entered Executive Session at approximately 7:30 pm.

The Board returned to Open Session at approximately 7:40 pm.

Vote to Revise the Wage and Classification Article

JS reviewed 2 draft revisions with the Board. One had a comments section, the other did not. The Board discussed the level of detail for the comments. JS prepared the revision for the Chair's signature.

JS also inquired if the Board wanted to keep the wage charts in the warrant appendices with the 7/1/16 wage information.

MJ moved to approve the warrant article revision for the Wage and Classification article and to include the wage scales in the appendices with the 7/1/16 wage information where applicable. PS seconded the motion. Four members having voted in the affirmative, the motion passed.

Minutes of 1/23/17

PS moved to approve the minutes of 1/23/17. MJ seconded the motion. Four members having voted in the affirmative, the motion passed.

Topics Not Anticipated 48 Hours in Advance

None.

The Board set its next meeting for 3/6/17 at 7:00 pm.

MJ moved to adjourn at 7:55 pm. PS seconded the motion. Four members having voted in the affirmative, the motion passed.



---

John Senchyshyn  
ATA/HRD

**Documents From Personnel Board Meeting**

**Regular Session**

**February 13, 2017**

**Document:**

2017-01-23 Draft Minutes

Warrant Article Revision 1

Warrant Article Revision 2

Warrant Article Revision 3

Rec Seasonal Proposal



6

PUBLIC CEREMONIES COMMITTEE  
Selectmen's Conference Room  
Wayland Town Building  
41 Cochituate Road  
Wayland, Mass 01778  
February 8, 2017

- 1) The committee meeting was called to order at 7:05 P.M.  
In attendance: Richard Turner (RT), Carl Bernardo (CB), George Bernard (GB), John Dyer (JD) and Steve Streeter (SS). Not present was Dennis Berry
- 2) Public Comment: No Public Comment
- 3) Old Business Minutes from January 11, 2017 were reviewed and approved.
- 4) New Business:
  - JD advised RT that the Agenda for February still had Lydia Childs spelled incorrectly. There is no "s" at the end of "Child". RT to make corrections.
  - Carl has yet to hear from Martin Cox on the military vehicles for Memorial Day. This is the fourth month this issue has come up and is still unresolved.
  - Per RT, Joe Doucette of DPW has confirmed flags will be hung on telephone poles for the Memorial Day parade with bucket trucks. RT to tell DPW personnel to skip telephone poles where they may get hung up in the electric wires.
  - RT is to check with Tom Holder to see if a light with a timer can be installed on the telephone pole next to the flag pole on the WWII Green (near the Villa Restaurant). A light shining from the telephone pole will fully illuminate an American flag flown at night. This is a new and expensive flag pole that is underutilized due to the lack of night time lighting. This is the second month this issue has come up and is still unresolved.
  - RT to follow up and speak to various town or education officials about plaques to be displayed at Town Hall for the Lydia Child award and Wayland High School "Commons" for the Freedom Prize. The plaques will have the names of the first-place finishers.
  - JD met with GB and went over the time line and procedures for the Freedom Prize awards.
  - RT has started advertising for candidates for the Lydia Maria Child award via Town Crier and electronic avenues.
  - GB waiting for reply from CPT Steven Kinney to see if he will be involved in the Memorial Day parade or be the keynote speaker for Veterans Day, November 11, 2017.
  - Two fifty foot cords to be purchased for speaker system through Purchasing Agent for Town of Wayland.

Meeting adjourned at 8:15 P.M.

- The next WPCC meeting is scheduled for Wednesday, March 8, 7:00 P.M. at the Town building.

Respectfully submitted  
George Bernard 1/16/2017

---