



TOWN OF WAYLAND

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BOARD OF SELECTMEN

JOHN BLADON
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE

Board of Selectmen Meeting Minutes August 9, 2010

Attendance: J. Bladon, S. Correia, T. Fay, J. Nolan (arrived 7:04 p.m.), S. Pope
Also Present: Town Administrator F. Turkington, Secretary M. DiNapoli

Chair S. Correia called the meeting of the Board of Selectmen to order at 7:00 p.m. in the Selectmen's Meeting Room and reviewed the agenda for the viewing audience. Town Clerk Lois Toombs presented the notice of the state primary election in September for Board signature. S. Pope said the library is now open, and they have scheduled a reopening ceremony for September 12. S. Correia described the Iron Chef fundraiser on September 12 sponsored by the Friends of the Council on Aging, and S. Pope said they are still looking for vendors and contributors. She also noted she will be at the Farmer's Market on September 1 selling tickets to the event.

A2. Public Comment Stanley Ducharme, 44 Pond Drive, expressed frustration and displeasure about the fact that members of his neighborhood were not invited to a meeting with the Housing Partnership and the state authorities to discuss a housing grant at Dudley Woods. He said he remains concerned that the focus of the town is on housing, and asked that in the future, residents be included in any decision that involves Dudley Woods. Jean Prince, 15 Hidden Springs Lane, and Amy Frankel Nau, 2 Forest Hill Road, said they chose to live in Wayland because of the quality of the schools and the appeal of the town center project, and could not understand why the project was stalled, given that a large majority of the town had approved it on multiple occasions. A. Nau asked the Board to explain how a few people serving on the Historic District Commission could bring the project to a halt. S. Correia said the Board was meeting with the Historic District Commission tonight, and the permitting process is moving along. He told them he would contact them offline to explain the process to them. J. Nolan said the Conservation Commission permits would be complete by September, and the lawsuit with the Historic District Commission would be discussed tonight.

A3. Consider and Approve Consent Calendar S. Pope moved, seconded by J. Nolan, to approve the consent calendar. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.

A4. Review Correspondence The Board discussed the week's correspondence. The Board discussed the library reopening, health insurance costs, the records request regarding the Board meeting of July 8, the construction of a beach house, the report of the Fire Chief, and the bronze memorial WWII plaque that was stolen from town property. In regard to the public comments of S. Ducharme, F. Turkington said he sent an email to the Ducharmes explaining that the meeting with the state was to evaluate the site to determine the viability of each of its four possible uses; he noted that it is town-owned land, and it is a public and political decision to determine the eventual use of the site. He said the Board is trying to find a

compromise that provides value and enjoyment for all the community, and he has assured the Ducharme family that the neighborhood will be included in the process.

A5. Report of the Town Administrator F. Turkington described the reopening of the library, and the capital improvements that are planned for next summer. He said bids had been received for the drainage study, and the unanimous recommendation was to retain Tighe and Bond. The goal is to have recommendations for increasing stormwater capacity and information to seek MEMA and FEMA mitigation funds. He said there is another RFP for a space needs assessment for the Council on Aging, and an RFP for the audit of school finances. In regard to capital funding requests, he said he has asked the staff to revise its requests based on need and the new realities due to the recent flooding; he said he wants to spread the capital process over the year and make a more aggressive attempt to educate the public. S. Correia requested that the town use its website for more community outreach. The Board discussed the format of the upcoming State of the Town meeting; they considered including a review of capital projects, the Economic Development Committee and how to take advantage of the strengths of the community, new means of generating tax revenue, a general discussion of where Wayland fits with its peer towns, MCAS scores, the depreciation of property values, traffic issues, the balance between decentralized citizen boards versus a more central government, and the balance between tax relief versus services provided. S. Correia asked how the meeting will work with the master plan; F. Turkington said the master plan has broad-based concepts without implementation, while this will be more of a community discussion. S. Pope said it will get more people involved. T. Fay said it is broader in scope. F. Turkington said that interested groups should be invited and informed that it will be a broad philosophical discussion. J. Nolan said it is a good concept, but has usually attracted a small group. He said a State of the Town meeting usually explains to residents what is going on. S. Correia said on the other hand, it's good to get input. J. Nolan said we could do both. T. Fay said he thinks a broad philosophical discussion could provide new perspectives. The Board agreed to discuss the issue further at a later meeting.

A6. Joint Session with Planning Board to Interview Candidates for Appointment to Fill Vacancy on Planning Board for Associate Member created by Election of Colleen Sheehan (Term Ending April 2014, Appointment to April 2011) The Board was joined by Planning Board members Bill Whitney, Colleen Sheehan, and Kent Greenwalt to interview Andrew Reck for appointment as an associate member to the Planning Board. A. Reck described his background as a residential architect and his interest in serving on the Planning Board. J. Nolan asked if he had ever followed the Planning Board process, and also if he would be available to complete the remainder of the term. A. Reck said he often appears before the Planning Board, and expects to complete the term. S. Pope asked if he had read the master plan, and if he has observed any meetings. He said he has not yet read the master plan, but has attended several meetings. T. Fay asked if he has seen any trends in planning; he said no, but also noted he has been following the high school project and the town center project. J. Bladon asked if he had any general observations about Wayland. A. Reck said his three children have benefited from the excellent schools, and he felt the town center project had the potential to create a greater sense of community. S. Correia asked what is the biggest challenge for planning boards. A. Reck said the need to maintain the integrity of the town, involve the residents from the early stages of a project, and manage expectations. J. Nolan confirmed that A. Reck would recuse himself from any projects in which he had an interest. K. Greenwalt asked if he had a particular interest in any topic; A. Reck said housing and economic development. W. Whitney asked if he had ever seen people successfully legislate good design, and would Wayland benefit from a design review process. A. Reck said yes, but the process must be approached correctly. J. Nolan moved, seconded by J. Bladon, to appoint Andrew Reck as an associate member of

the Planning Board to complete an unexpired term ending at the adjournment of the 2011 Annual Town Meeting to 2014 Annual Town Meeting. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope, K. Greenwalt, C. Sheehan, W. Whitney. NAY: none. ABSTAIN: none. Adopted 8-0. K. Greenwalt moved, seconded by C. Sheehan, to adjourn the meeting of the Planning Board. YEA: K. Greenwalt, C. Sheehan, W. Whitney. NAY: none. ABSTAIN: none. Adopted 3-0.

A8. Meeting with Historic District Commission Members of the Historic District Commission, Town Counsel Mark Lanza, and counsel for the HDC, Barbara Buell, appeared before the Board. Chair Gretchen Schuler said the commission was meeting with the Board to explain the purpose of the HDC, and that it would not be appropriate to discuss the town center project due to a new application from Twenty Wayland. She reviewed the purpose of the HDC and its general procedures. She said the commission denied a Certificate of Appropriateness to the town center project based on its detrimental effects, and also spent two months in May-June 2009 to consider a Certificate of Hardship, based on the buildout of the project. The applicant appealed the decision, and the wanted the HDC to move towards a default judgment; however, she said the HDC found its own counsel and responded to the appeal. She noted the plaintiff has filed several appeals and the HDC has won in every case. S. Correia asked if the commission can still consider the first application. M. Lanza said the first application is now within the jurisdiction of the court. T. Fay said the Board has jurisdiction over traffic matters, and he believes the concern of the HDC is that the project will never be fully built; G. Schuler agreed. She said the commission would never issue a Certificate of Appropriateness. Participants debated the traffic studies and whether the need for a traffic signal was substantiated by MassHighway. G. Schuler said the Historic District Commission did not consider traffic studies, but whether there will be dangerous traffic conditions. J. Nolan said there is overwhelming support to develop this property, and everyone needs to commit to solving these issues without protracted litigation. He noted that MassHighway had allowed for the construction of an intersection at the time that was not ideal. M. Winokur asked for a letter from MassHighway declaring the intersection unsafe. J. Nolan said MassHighway is not in the business of declaring intersections unsafe, but noted the intersection is rated "F." G. Ives asked for a recent traffic study. T. Fay said the police chief, fire chief, and traffic engineering consultant said the changes are necessary because the intersection will be unsafe. F. Turkington asked if the participants would be interested in receiving a clarification.

T. Fay said the goal of this meeting is to emphasize the Board's desire for a discussion with Twenty Wayland to come to a compromise; he noted that 82% of town meeting voted to build this project. M. Winokur said she voted for the town center project, but she didn't realize at the time that they would be tearing up the historic district. S. Correia said it is not being torn up; he said history moves forward, and the district no longer looks like it did in the 1600's. J. Nolan said the town will continue to grow and the roads are going to be improved; he said it is preferable that the developer pay for these improvements and not the taxpayers. The Board said the developer has applied for the foundation permit, which signals their intent to complete the first phase of buildout. S. Correia said the developer is willing to talk outside the courts, and asked if the HDC would do the same. G. Schuler said the developer should have their attorney contact the HDC attorney. Frank Dougherty, KGI Properties, suggested having a meeting now. G. Schuler said the HDC could not do so because it has to proceed with the new application. M. Lanza said the parties can agree to take the first application back. F. Turkington suggested a meeting date of August 19. F. Dougherty offered to take the new application off the table. J. Bladon asked the members of the HDC what they feared would happen to the historic district. G. Schuler said it will have a negative impact on the community and will derogate the district. She said the fencing could be damaged by

moving it, and the relationship of the fence to the church will change, causing a change to the setting.

M. Baston said the traffic mitigation will add 10,000 s.f. of asphalt. D. McAuley said if too much asphalt is poured, the district will disappear. J. Bladon said the discussion should be about mitigating the damage. The HDC agreed to meet with the developers on Wednesday, September 1, 2010, at 8:00 p.m., and to notify the court, and to provide an extension for the new application. The participants discussed the Glezen Lane settlement, and F. Dougherty said the settlement could not be changed. David Bernstein, 25 Glezen Lane, said that was not true, and the residents were willing to have a discussion. However, F. Turkington said the Board was unwilling to expend any more funds for the traffic studies requested by the Glezen Lane residents. S. Correia thanked everyone for attending.

A7. Selectmen's Reports and Concerns S. Pope asked if the town had ever considered utilizing Mass Municipal Electric for its electrical needs; F. Turkington said he would talk to MuniEnergy. She asked that the street sign for Loblolly Lane be replaced, and commended the new building at 231 Boston Post Road for its design. T. Fay said he is meeting on Friday morning with housing advocates regarding an affordable trust article for the fall town meeting. He said he is excited about the pace of the high school construction, and asked for an update on the water ban. F. Turkington said the water ban is voluntary; it is in the best interest of the town to conserve our water resources. T. Fay said the banishment of the Frishman dog is now in the courts, and the Board may need to meet earlier than planned to either respond to the allegations of Linda Segal or ask for an extension. S. Correia said there has been a lot of vandalism to the mailboxes on Glezen Lane, Draper Road, and Moore Road. He updated the Board on the WayCam studio relocation.

A9. Executive Session The executive session was cancelled.

T. Fay moved, seconded by S. Pope, to adjourn the meeting of the Board of Selectmen at 9:44 p.m. YEA: J. Bladon, S. Correia, T. Fay, J. Nolan, S. Pope. NAY: none. ABSTAIN: none. Adopted 5-0.