

Members Present: Hank Rauch, Chair, Gary Wells, Vice Chair, Tom Blakely, Jim Driscoll, Paul Huegel, Phyllis Jaffee, Sean Keogh, Jim Tepper. Absent: Beth Blumberg

At 7:00 p.m. Mr. Rauch called the meeting to order in Memorial Hall of the Town Hall.

Open Forum

There was no one present to address the Committee

Approval of Past Minutes

There were no minutes to approve.

Fall Special Town Meeting, Warrant Article Review

Article 1 – Gateway District Extension:

Mr. Robbins, Town Planner, and Mr. Bush, Planning Board Chair came before the Committee. Mr. Robbins distributed GIS Zoning maps for Articles 1 and 2 and an informational document on Article 3 and Question 4, as well as summaries of the three Articles. Mr. Robbins explained that Gateway 2 (G2) is not a new zoning district, but a proposal to extend the area where regulations would apply. Allowed in the district is retail, office and other commercial uses except restaurants, and all existing and new structures must look residential. He reviewed the allowed lot sizes and noted that the new uses require a Special Permit from the Planning Board. Mr. Robbins reviewed the maps. Residential use will remain commercial use will be an option for homeowners and it will benefit the homes on East Main as it will increase their value because it allows the owner more options.

Questions/Comments:

- Were abutters contacted? A public hearing was held, residents who live in the affected parcels received formal notice and abutting residents were provided with a courtesy notice. Many people attended and there were no objections from property owners or abutters.
- Are there height restrictions? It remains the same at 2 ½ stories.
- If property values increase will taxes home owners' taxes increase? The property would become more valuable, but not necessarily assessed higher.
- What is the lot size? It is 50,000 square feet.
- If someone owns a 100,000 square foot lot would they be able to subdivide and build two office building? That may not be possible as none of the parcels have more than 200 feet of frontage and most of the lots are below the minimum requirement. The only lots that would qualify are the Willows and Rogers Road properties.
- After the parcels are rezoned would a new use have to go to the Zoning Board of Appeals and Design Review Board for approval? No, they would have to go before the Planning Board and if G2 goes into effect from residential the zoning changes to 15,000 square feet and 125 feet of frontage.
- Was 2 Flanders Road zoned differently as it had changed owners and was going to become a beauty salon, but there was a lot of neighborhood concern? It never changed and there was a salon located there that was a preexisting nonconforming use. Mr. Bush explained the issues that when the owner decided to sell there were difficulties as the preexisting nonconforming use granted her some rights but not all the rights that would exist in the Gateway Zone. He reviewed the

recommendations of the Master Plan at that time for the Gateway 1 and Gateway 2 Zones and the Town Meeting vote defeated the Gateway 1 Zone.

-Has the traffic impact been studied should more businesses move into the area? Any use would require a special permit by the Planning Board which requires a traffic study.

-What if the two lots on the corner of Steven Road become businesses and requested a curb cut onto East Main, which they do not currently have. This would be looked at on a case by case basis as the other option would be to make Steven Road two-way which would create more traffic for the residents. Steven Road residents did not have any questions regarding this possible scenario.

Article 2 – Rezoning (Spectrum Property on Oak Street):

Mr. Robbins noted that a public hearing was held and the property owners were the only attendees. He reviewed the map, the ownership and status of the surrounding parcels. Mr. Robbins noted that the parcels in question are currently zoned residential and the remainder of the Spectrum Health Campus are zoned Highway Business and used for non-residential purposes. He reviewed the setback requirements and that the residential setback makes further development of the campus almost impossible. The Article change will allow a more compatible development of the parcels in the Spectrum campus, which they plan to continue expanding.

Questions/Comments:

-What other uses are allowed should Spectrum sell the property? Mr. Robbins explained what is on Spectrum's parcels and the setback restrictions for further expansion he does not believe there will be much more development other than their use. If they sell in the future the zoning limits each parcel to one building.

-If the property is sold in the future could it be developed as residential? Once the zoning is changed residential use is not allowed, but is currently.

Article 3 – Regulations for Medical Marijuana Treatment and Dispensing Facilities and Marijuana Cultivation Zoning Regulations:

Mr. Robbins distributed a copy of the 10/3/16 Boston Globe article and a memo regarding the regulation of recreational marijuana with overall views for consideration. He read the memo which summarizes the bylaw. He noted that if Question 4 passes and the zoning bylaw is not adopted the only way to address the sale of recreational marijuana in Town is to have a special election by ballot vote, it cannot be brought back to Town Meeting, as it is an opt out law. Mr. Robbins addressed putting the land use regulations in place before the vote and the preemptive attempt to be cautious.

Questions/Comments:

-Prohibiting the location of facilities within 500 feet of a property line where certain districts, activities or uses occur was noted and that it covers a large portion of the Town. Mr. Robbins noted that it does, but added that there are current commercial uses in the district that would allow it to happen.

-Is the existing bylaw that restricts uses to Route 9 going to be changed? It will not, and Mr. Bush noted that the current Medical Marijuana bylaw has zoning restrictions for location of those facilities. This bylaw will align medical and recreational to the same place, which is the Adult Entertainment District and is located off Route 9 adjacent to and somewhat behind Herb Chambers Honda.

-How close is that parcel to the new apartment development? The parcels are very large and would accommodate the 500 foot restriction. Mr. Robbins noted what the zoning is for the apartment developments. The safeguard for the area is the ballfield behind Target. To locate a facility in the

Adult Entertainment District the proponent would have to purchase a portion of the Herb Chambers parcel.

-There was a discussion regarding the ability to purchase the land behind Herb Chambers and the possibility that the Town could be sued if a potential buyer is unable to obtain property to locate a facility due to the restrictiveness of the zoning.

Article 14 – Building Department and Planning Department Records Scanning:

Mr. Robbins noted that he, the Building Commissioner, Town Engineer and Fire Chief attended the 9/27/16 Selectmen's meeting where the inclusion of the Planning Board's documents was proposed. The Selectmen voted to include the Planning Board's documents with the Building Department in the scanning project and increased the Article amount from \$99,000 to \$215,000. Mr. Robbins explained the process and the issues with document storage while they are located at the DPW. Mr. Htway added his large plans to the scanning and the timeline is three months.

Questions/Comments:

-Is the approach to scan the files in bundles by scanning the 8 ½ x 11's first, for example, learn from the experience instead of shipping all of it at once to prevent situation of discovering later on the Town did not receive what they wanted? Mr. Robbins was not aware of what was in Mr. Htway's presentation and noted that Ricoh will be scanning the 8 ½ x 11's separately from the plans. There was no cost saving to scan all the departments' plans at the same time.

-Are there a lot of files that are not in the Worcester Registry? The Planning Board does many files that are not located there as well and Mr. Robbins reviewed what gets recorded and what is not.

-Initially presented was that 560,000 documents would be scanned and with this expansion is the number increasing? Mr. Robbins was not certain but thought that number was for all 4 departments.

-If the scanning will be done over three months will there be a learning phase for the program either before or after the scanning? Mr. Robbins did not know, but would want to practice on a real/test document. Mr. Htway has the information but is out of Town.

-The move is driving the need for the scanning as neither department will have their documents in the same building as their offices.

-Is the Town obligated to keep the plans once they are scanned? There is a requirement to keep hard copies of some plans but others can be destroyed.

-Is training included in the Article funding or the departments' budgets? Mr. Robbins expects that Ricoh will provide what is proposed but could not speak to the training aspect and he assumes both departments will be trained at the same which would be more efficient.

-The renovation of the FMB was based on the space needs and amount of documents, if many of the documents will be disposed once scanned does that revise the space needs in the new building? Mr. Robbins' new office space as designed will not accommodate all his files and even now not all of his files are stored in the office, some are in the auditorium and the board room and current files are in the office. These will be put in public storage during renovations and it was noted that the scanning will eliminate the public storage need and provide a long term savings. Mr. Robbins noted that it will also improve the department's level of service.

-What is the process for digitizing new projects, who will handle it and what is the cost? All departments are compatible with the Ricoh system and Engineering, Planning and MIS/GIS receive all digital documents in the same format.

-Mr. Robbins reviewed what types of documents will be available online to the public.

-Mr. Robbins will provide the same handouts at Town Meeting as well as a power point presentation.

Article 1: Mr. Wells moved to recommend that the Town vote approve Article 1. Mr. Blakely seconded. Vote: 8-0-0

Article 2: Mr. Wells moved to recommend that the Town vote to approve Article 2. Ms. Jaffee seconded. Vote: 8-0-0

Article 3: The Committee discussed concerns regarding the zoned area where Medical and Recreational marijuana would be allowed that it may be so prohibitive there could be legal ramifications. Also discussed were the option to seek a variance, the repercussions, and the mechanisms to change the Zoning Bylaws.

Mr. Wells moved to recommend that the Town vote to approve Article 3. Ms. Jaffee seconded. Vote: 8-0-0

Article 14: The Committee discussed available free cash. Mr. Tepper noted he is not in favor and pointed out the Town Manager's statement is in error as the \$19,000 is a one-time software cost not per year. Mr. Htway had corrected that when he came before the Committee. Mr. Blakely suggested a phased approach allowing time to understand the software and ensure that it works and noted that cost is not a problem but prefers a phased approach. Mr. Huegel commented on Mr. Htway's presentation which supported his request, questioned the sudden change to add another department and more funding, and there was no information about saving money by not using public storage facilities. Mr. Tepper stated he is underwhelmed by the proposal, how it was presented and that he is not comfortable with the amount of detail. Mr. Blakely expressed concern about the three month deadline, noted that he supports the concept but questions the approach. Mr. Wells addressed the three month time frame, which is what it will take Ricoh to complete the project. It is not linked to the 3-4 months when the FMB will be vacated. Mr. Rauch noted that the Municipal Building Committee has not yet issued an RFP for a contractor and it is still uncertain as to when the building will be evacuated. There was a discussion of the sense of urgency relative to moving out of the FMB, the postponement of the scanning project until spring if it is not approved at Fall Town Meeting, the lack of information regarding training of staff, the change from the original scope of including all departments to just the Building Department, the AFC's options for voting on the Article.

Mr. Wells moved to recommend that the Town vote to transfer and appropriate \$215,801 from free cash for the purposes of this Article. Mr. Keogh seconded.

Discussion: Mr. Blakely supports the project for all the departments but wants to see that is done correctly and phased in, not pushed through. Mr. Driscoll suggested that when the first department is complete there are checks in place to ensure that it is correct and there are no problems, which is his biggest concern. Mr. Huegel noted that the proponents did not come forward with an argument on the economy or efficiency of scale regarding the savings, which is another loose end. Mr. Wells explained how Ricoh quoted the job, with costs for each department, and that there was no savings for doing one or more departments at a time. Mr. Tepper asked why the MIS Director is not making this presentation and why there was not a more comprehensive proposal. Mr. Rauch explained that Mr. Htway made his proposal based on the original Article which was for his department only. Mr. Htway was not available to attend the meeting tonight. Mr. Driscoll suggested that the MIS Director come in to address the Article and Mr. Wells noted this type of project is not necessarily in the purview of the MIS/GIS Department. Mr. Wells will get input from the Director tomorrow.

Mr. Wells withdrew his motion. Mr. Tepper asked where the database going to be hosted and Mr. Wells will ask tomorrow. Ms. Jaffee noted for the record that she is not in favor of postponing the vote but is in favor of amending the Article as it existed.

Fall Special Town Meeting, Warrant Article Review

Article 27 – Radar Speed Signs: Mr. Tepper and Mr. Driscoll met with Chief Gordon and he will be presenting to the Selectmen at their meeting next week. He suggested waiting to hear the Chief's comments at the Selectmen's meeting. Mr. Tepper is not in favor of this Article as he feels that the signs will not produce the results the Town is looking for. There was a brief discussion of whether to wait to vote on Town Meeting floor.

Mr. Tepper moved that the Committee vote to defeat this Article. Mr. Driscoll seconded. Discussion: Mr. Keogh questioned if they could qualify the vote by taking the position that it is not about the amount but about the approach to solving the actual issue. If Chief Gordon recommends an alternative solution and it is implemented, the Committee cannot approve the amount as it is for the signs only. Mr. Rauch noted that it is not a good use of Town funds and it will not make the expected impact. He suggested asking the Police and DPW to look at the situation. Mr. Tepper noted that the Chief suggested that the Bicycle and Pedestrian Advisory Committee or a subcommittee to look at these issues in the overall Town. Vote: 8-0-0

Articles 22 & 23: Mr. Arnold noted that he misunderstood what was meant by the language in these Articles. The Town Manager's motions will reflect what is in the Article allowing the Selectman the leeway to do what they deem is the right way to obtain the easements.

Mr. Wells moved to recommend that the Town vote to approve Article 22 as printed in the Warrant. Mr. Blakely seconded. Discussion: Concerns about eminent domain and what the parameters are to change the motion were discussed. Mr. Arnold suggested asking Town Counsel before the meeting why the Article is worded that way. Vote: 8-0-0

Article 23: Mr. Wells moved that the Town vote to approve Article 23 as printed in the Warrant. Mr. Blakely seconded. Vote: 8-0-0

Article 25: Mr. Blakely moved that the Town vote to approve Article 25. Ms. Jaffee seconded. Discussion: Vote: 8-0-0

There was a review of the remaining Articles:

Article 4 – open.

Article 6 – needs a revote.

Article 10 – waiting for presentation by email.

Articles 11 – Tot Lot Committee coming in on 10/6/16.

Articles 12 & 17 – School Committee coming in on 10/5/16.

Comments and Concerns – Committee Members

Gibbons School Building Committee: Mr. Tepper noted that there was a meeting today and the project is moving on schedule. The Principal is doing a great job running the school during construction. There is no indication that they are close to the budget number.

Municipal Building Committee: Mr. Rauch noted that the MBC is meeting tomorrow and there will be discussion regarding the removal of the Spurr House Articles.

Pre-K to 3, School Building Committees: Mr. Wells had no update.

Materials Management Committee: Mr. Driscoll had no update.

Capital Expenditure Planning Committee: Mr. Keogh will contact the Assistant Town Manager regarding the meeting schedule.

Public Reminders for Viewers

None

Adjournment

Mr. Blakely moved to adjourn at 9:06 p.m. Mr. Rauch seconded. Voted: 8-0-0

Document List

GIS Maps for Articles 1 and 2

Information on Article 3 and Referendum Question 4

Summaries of Articles 1, 2 and 3

Boston Globe Article on Referendum Question 4

Respectfully submitted,

Paula Covino

Administrative Assistant