

## **Natick Finance Committee**



Pursuant to Chapter 40, Section 3 of the Town of Natick By-Laws, I attest that the attached copy is the approved copy of the minutes for the following Meeting:

**Town of Natick Finance Committee**  
**Meeting Date: September 27, 2022**

The minutes were approved through the following action:

Motion: Approval  
Made by:  
Seconded by:  
Vote: x – x – x  
Date:

Respectfully submitted,

Linda Wollschlager  
Chair  
Natick Finance Committee



## ***TOWN OF NATICK***

### **Meeting Notice**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF  
M.G.L. CHAPTER 30A, Sections 18-25

## **Natick Finance Committee**

### **PLACE OF MEETING**

Virtual Meeting and School Committee Meeting Room,  
3rd Flr, Town Hall, 13 East Central St. Natick, MA 01760

### **DAY, DATE AND TIME**

September 27, 2022 at 7:00 PM

Join Zoom Meeting <https://us02web.zoom.us/j/89344253078>

Meeting ID: 893 4425 3078 Passcode: 979080

One tap mobile +13126266799,,89344253078# US (Chicago)

Dial by your location +1 929 205 6099 US (New York)

Find your local number: <https://us02web.zoom.us/u/kborprPOGq>

### **MEETING AGENDA**

Posted: Thursday, September 22 at 8:50AM

1. Call to Order
  - a. Pledge of Allegiance & Moment of Silence
  - b. Advisement of Pegasus Live Broadcast and Recording for On-Demand Viewing
  - c. Review of Meeting Agenda and Ordering of Items
2. Announcements
3. Public Comments
  - a. [Committee policy & procedures available via this link and also at the meeting location](#)
4. Meeting Minutes
5. 2022 Fall Town Meeting Warrant Articles – Public Hearing
  - a. Article 1: Committee Article
  - b. [Article 27: Survey and Roadway Layout Plan for Pinewood and Hillcrest Avenues](#)
  - c. [Article 20: Moratorium – III-F Cluster Development Allowed in Certain Districts](#)
  - d. [Article 21: Regional Center \(RC\) Overlay District](#)
  - e. [Article 22: III-F Cluster Development Allowed in Certain District](#)
  - f. Article 23: Paper Submittal Requirements (Zoning) - will not be heard
  - g. Article 24: East Central/Union Street Intersection (southern side) - will not be heard
6. Committee and Sub-Committee Scheduling

- a. Update on upcoming Committee and Subcommittee meetings
7. Committee Discussion (for items not on agenda)
8. Adjourn

Meeting may be televised live and recorded by Natick Pegasus. Any times listed for specific agenda items are approximate and not binding. Please note the committee may take the items on this agenda out of order.

**Call to Order:** Meeting called to order at 7:02 p.m. by Linda Wollschlager, Chairperson

**Roll-call vote:**

Mr. Behery = remote	Mr. Coburn = remote
Mr. Gillenwater = in person	Mr. Jacobs = in person
Ms. Keeney = remote	Ms. Monahan = in person
Mr. Pope = remote	
Ms. Sciarra = in person	Ms. Wollschlager = in person
Ms. Yobaccio = in person	Mr. Zitnick = remote

**Announcements:** None

**Public Comments:** None

*Mr. Gillenwater moved to open the public hearing, seconded by Ms. Sciarra, voted 12 - 0 - 0.*

**Roll-call vote:**

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes
Mr. Pope = remote	Mr. Rooney = yes
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = yes

**Article 1: Committee Article**

Ms. Wollschlager stated that no committees have contacted the finance committee or the moderator about reports for town meeting.

*Mr. Gillenwater moved No Action on Article 1, seconded by Ms. Sciarra, voted 12-0-0.*

**Roll-call vote:**

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes

Mr. Pope = remote  
Ms. Sciarra = yes  
Ms. Yobaccio = yes

Mr. Rooney = yes  
Ms. Wollschlager = yes  
Mr. Zitnick = yes

### **Article 27: Survey and Roadway Layout Plan for Pinewood and Hillcrest Avenues**

*Presenter: Liz Eichfeld, sponsor of Article 27, Pinewood Avenue resident*

Ms. Eichfeld stated that Article 27 is an important part of our ultimate bigger goal of street acceptance and eventual improvement. She is requesting that the town appropriate \$22,700 for the purposes of surveying and developing roadway layout for Pinewood and Hillcrest Avenues, thereby enabling the furtherance of the street acceptance process. Simply put, we need the survey in order to submit it to the Select Board so the Select Board can consider whether or not to accept our roadway. Without the survey and the layout plans, they don't know what they're being asked to accept.

Ms. Eichfeld noted that the neighborhood is an old one, with original houses dating from the 1940s and 1950s. As an unaccepted roadway, we do receive some services from the DPW. We receive snow removal, trash collection, pavement, patching and repair, and underground system repair. We do not qualify for roadway improvements, water, sewer, or drainage improvements either. So no capital improvements, no reconstruction would ever come our way.

Ms. Eichfeld shared some photos of the streets which she stated are crumbling and cracking everywhere. This is one of our many potholes, which exceeds the length of a yard stick. The DPW has been out to patch our road twice this season that I have witnessed. This is typical of the degradation on our road..

By some neighbors' estimates, the road is 30 to 35 years old. The DPW classifies and assesses the condition of all of the pavement in town using the pavement condition index or the PCI. This is a scale of 100 to 0 with 100 being the most pristine condition asphalt to zero being the most failed. The average PCI in Natick is 67. On a scale of zero to 100 Pinewood and Hillcrest Avenues have been assessed by the DPW at 13 and 10 PCI respectively. Anything below a rating of 40 is considered a failed road and indicates full reconstruction down to the gravel bed is necessary.

She stated that the roads are not on the five-year roadway improvement plan because we don't qualify as an unaccepted road. It would be at least five years before anybody came with a truck, and probably more like seven to 10 if we're being realistic. But we can't wait to get on that list anymore. The poor condition of the road affects people's safety, for walking, running, biking, it could very easily be that a child or senior trips on the uneven pavement and has an injury. It's not great for the vehicles either. It shortens their lifespan and can cause damage to the suspension. It can degrade the home values as not many people want to live on like a crumbling road, especially if there's no path to eventual improvement.

The water mains system is also part of this whole acceptance process. We've had three water main breaks on our roads in the past 10 years, which could also be prevented if there were capital improvements.

I started off by petitioning the Select Board last summer for acceptance, at which point we were told we needed the survey. I went and got quotes from the surveyors, which was estimated to cost \$22,700 or

\$900 per household, divided by the 26 households on the petition. And what I found from my discussions with the neighbors is that \$900 as an upfront cost is impossible for some households, due to fixed incomes or other large expenses, such as college tuition. And even if we were able to come up with the money, the road acceptance is not guaranteed. We could submit the plans and have the Select Board turn them down, which is a costly investment for no return. With street repavement years away, it's possible that some people in the neighborhood would move out before then. so why would they want to pay \$900 as a as an upfront cost for the survey?

If town meeting does not accept this article, the people of Pinewood and Hillcrest are utterly stuck. We don't have a path forward. The Select Board voted 2-1-1 on this article on September 7.

### Questions from the Committee

Mr. Gillenwater stated that he lives on an unaccepted road in a different section of town. He noted that the reason we get the limited services is that state law prohibits anything but very limited spending on unaccepted public roads. What about these two roads, make them an exception to the state law that says de minimis repairs and plowing is all it's legal to do to. We have the answer from town counsel but I'm wondering if you had received some sort of different advice?

Ms. Eichfeld stated that it's her understanding that the town has paid for other surveys of unaccepted roads with the intent of having them accepted. In the Fiske Street neighborhood with Fairview terrace, the town did opt to pay for the surveys with the intent to accept them. By that precedent, the request to fund the surveys via town funds is reasonable.

Mr. Gillenwater asked about the cost to rehabilitate those two roads. Ms. Eichfeld stated that she had not sought quotes on the roadway improvements and is not sure we could get a reliable estimate for the improvements without someone looking at the underground infrastructure to assess the condition.

Mr. Paul Joseph, Select Board chair, referenced an email from the town administrator that was sent too late for you to have received it prior to the meeting. The email cited a 2019 town study where the cost of just the road itself was \$175,000, just for the surface, not for the underlying sewer and the infrastructure.

Mr. Gillenwater asked about what is now a private utility system which the town would be taking over as well. Mr. Joseph noted that the town administrator's email stated that Pinewood has 1100 feet of six-inch diameter cast iron water main, and eight-inch concrete sanitary sewer main, estimated to have been installed in the 1940s or 1950s Hillcrest has 750 feet of the same size type and vintage water and sewer mains. Some water mains may give 100 years of service life however many factors may impact its lifespan. A separate analysis of the water mains condition, including test pits would be needed to make informed analysis and conditioning total costs.

Mr. Gillenwater asked what makes these two streets different than the 20 plus others in town? If you move forward with this, what keeps my neighborhood from saying why aren't you spending the money on our neighborhood? Ms. Eichfeld replied that she believes all the unaccepted roadways in Natick should have a path to acceptance if they want it. Right now, there is no path. We're not jumping the line because there's no line. It would be good if there would be a town wide solution to this problem. There's no budget line item for the acceptance process.

Mr. Jacobs asked if there is a free cash number yet and was told no. He then asked if the Select Board decides not to move forward now, how long would the survey be good for. Ms. Eichfeld didn't know the answer but guessed that the roadway probably wouldn't change much in five years.

Mr. Jacobs asked if the administration has particular roads that it is targeting for acceptance. Mr. Joseph answered that when the Roadway Improvement Plan reaches an area that encroaches on or encompasses roads that are unaccepted much like what happened with Fairview. There's no punch list of specific streets. I think it falls in line with where the five-year plan goes.

Mr. Jacobs asked for estimate of the ongoing costs associated with road patching and water main breaks and things like that that have occurred? Mr. Joseph answered that we budget for those types of things and I don't think there's been an overage due to anything extraordinary. That's just part of their routine annual budgeting.

In response to a question from Mr. Rooney, Ms. Wollschlager stated that the five-year roadway plan and the Pavement Management Study which includes a list of accepted and unaccepted roads, their PCI condition and estimated cost to repair are posted on Novus.

Mr. Rooney asked if there were any road acceptances where the survey was paid for by the residents themselves? Mr. Joseph recalled that when he lived on School Street extension, we privately paved what was then a dirt road, and we paid for the survey work.

Mr. Rooney asked if the road was improved, would the town consider it a betterment on behalf of the people who live there. And if people couldn't pay the town can make arrangements for the assessment for each. Mr. Joseph said he would assume that would go into the assessment. And yes, we do have limited programs to help.

Mr. Behery asked why we have two different classifications for roads accepted and unaccepted, what really defines unacceptable. Ms. Wollschlager stated that the unaccepted roads are not owned by the town; they are owned privately. Also included on Novus is a document on the process to move from an unaccepted road to an accepted road.

Mr. Behery stated he had seen the process document and asked if there's anything else the sponsors can do, other than submitting the petition. Ms. Eichfeld said they are going by the same process document and the next step is the survey. We have tried to gain the funds from a grassroots movement. And were not able to come up with them, and so are now asking to be treated in the same way that the first neighborhood was when their survey costs were paid for by the town.

Mr. Coburn asked if the survey we're talking about is strictly a land survey. Liz Eichfeld replied that the DPW gave me an example of what was needed to be provided, and it is a metes and bounds survey which does not include the assessment of underground systems.

Mr. Coburn asked if the tax betterment system was part of what is contemplated here, accepting the road and bringing it up to code? Ms. Wollschlager noted that we have an opinion from town counsel that in the absence of public money for the survey, the street owners can pay for the survey themselves. The betterment process is possible, but also has to meet certain statutory requirements.

Ms. Eichfeld wondered if the residents of Fairview Terrace had to pay betterments for their roadways? Maybe they did. I just don't know. Did they have to pay betterments for the survey costs? No.

Mr. Coburn noted he was hopeful that there might be somebody with enough expertise to know whether an initial survey to kick off a process leading to a betterment situation can be rolled into a betterment, but I'm sensing that there's nobody here who feels they could answer that.

Mr. Zitnick was curious to know how much not accepting this road is costing us. Do we have a sense of does anyone know how much it costs to repair a water main break? And then also patching the road? No one could provide the answer.

Mr. Zitnick then asked how many water main breaks there have been in the past 10 years. Ms. Eichfeld answered three that I know of and have seen myself.

Mr. Jacobs asked if the folks on both of these streets were unanimous in wanting the roads accepted. Ms. Eichfeld said there were three houses she was not able to make contact with.

Ms. Wollschlager asked Mr. Joseph to explain what the Select Board policy is with respect to road acceptances. Mr. Joseph stated that he thinks the only policy decision predated my current term, perhaps in 2017. The idea was to align with the ultimate goal of accepting as many as streets as possible. I think one of the challenges we have with this, these last 20 miles or so of road that aren't accepted, is widely varying conditions, and the nature of the development that's gone on there. We've not adopted anything that says we are absolutely going to but we will try to chunk it off based on the five-year plan.

I guess one of my biggest frustrations is we have developers that come in and snap up these old properties, build million-dollar homes, sell them at a tremendous profit, and move on. And the buyer and the subsequent buyers are stuck in this situation as is the town and we have no way to transfer some of the value that goes to those what I'll call hit and run transactions. Is there a way that we could create a revolving fund or have some kind of fund that a developer pays into? Similar to downtown, where we have people pay into a parking fund. If they're not going to develop the parking, they put the dollars into a fund for parking. It would take legislation, and it would take a long time. But philosophically, that's something of interest to me.

Ms. Wollschlager asked if it is fair to say that unless a street is on the five-year plan, there's really no avenue other than the ones that the sponsor has delineated for someone on an unaccepted street to get attention. Mr. Joseph stated I think that's fair. We've done a better job of putting the breadcrumbs out there, but we still leave it to the homeowners to figure out where that's starting point is. We don't have we don't have a clear path or plan, other than the one that I mentioned.

Mr. Gillenwater stated that one of the opinions that we got from town counsel was that the town should not be spending significant public funds on unaccepted private ways other than for safety purposes, such as police fire access and snow removal. As road commissioners, do you agree with town counsel? Mr. Joseph stated that speaking personally, he would generally agree. He is not speaking on behalf of the select board.

Mr. Gillenwater asked if there a timeline for developing a more holistic town wide policy on what we're going to do with the some of the more difficult neighborhoods or difficult roads. Is there a timeline for dealing with the 20 miles that nobody's figured out what to do with up until now?

Mr. Joseph said there is no plan. I can say when I served on the Select Board back in the 2010 to 2013 timeframe, we looked at this and had an estimate for what it would take and there was no appetite at the time to move forward with that.

Ms. Keeney asked if town meeting votes favorable action, would that mean that we are saying we want the town to spend 20 grand or so from free cash to pay for the survey? Does town meeting have that authority? Ms. Wollschlager said that town meeting has the authority to vote, but that does not compel the Select Board to act.

Ms. Keeney asked if a favorable vote would send a clear message that it would be a priority of the town to prioritize this. Mr. Joseph said that speaking personally, he would interpret it that way.

Mr. Coburn asked about the factors that prioritize projects. Mr. Joseph said we would look at maximum impact. If they're through neighborhoods where there's pedestrian traffic or a corridor for a walking to school or local recreation, or commercial areas for people, I would probably regard those three ways as highest.

Natick is challenged by a lot of historical artifacts. Our current administration and recent administrations have had to deal with paper roads and missing information that doesn't exist, or poorly designed surveys. We had to get easements from property owners because part of Main Street was privately owned. And we only found that out a few years ago. Mr. Joseph stated in his opinion, it's good for the town to solve this problem once and for all. I think the challenge is the enormous cost.

Mr. Rooney stated that his impression is that process with respect to the unaccepted roads, and what's required to have an unaccepted road ready and accepted, is somewhat failing and there really should be more work put into that, which may possibly result in a much cleaner, better process that can be understood by all. Is that a fair statement? Mr. Joseph agreed that it's a fair understanding but you have to look at the breadth of topics that the Select Board deals with. In fact, a year ago, the Select Board made it a priority to start looking at all of its policies to find places where we can make improvements. I am about 25% of the way through our alcohol policies, which was the first policy we're looking at. So it gives you a sense of the enormity of the tasks we have to handle in a public forum over a period of time. I do think if this is identified as a higher priority, and an area that the Select Board wanted to focus, we could, but again, it's bandwidth, and it's relative to other priorities in the town.

Frank Foss, Town Moderator, noted that the article says that you're being asked to raise and appropriate or transfer from available funds, that sum of money. Betterment is not available funds. I will say that it may help you folks, to understand where a survey fits into the process of accepting a road, but that has absolutely nothing to do with what is the essence of what is being asked for here. He does not want anybody especially the proponents to get the idea that they can go to town meeting and discuss things that are way outside the scope of the article, specifically also within the four corners of the motion.

Mr. Foss asked who owns the road – do the residents own to the centerline or to the edge of the road.



Ms. Eichfeld stated that won't be clear until the survey is done.

*Ms. Sciarra moved to refer the subject matter of Article 27 back to the sponsor and Select Board, seconded by Mr. Gillenwater. Referral passed 9-0-3*

*Mr. Coburn moved favorable action, seconded by Ms. Keeney. Motion not voted due to referral motion passing.*

### **Debate:**

Ms. Sciarra stated she is not in favor of spending public funds on a private process right now. If you get a survey, there's no guarantee that the Select Board is going to accept it or, or move the paving of your street up. I think you need to go through the process.

Mr. Gillenwater noted Town Counsel's statement that the town should not be spending significant public funds on unaccepted private ways. That response was to a question several members asked about the prohibitions within state law against doing this. I also have concerns about is this also going to be used for additional precedent and we'll be doing this without limitation until maybe all the roads will be taken care of which is good but is not currently within state law.

Dirk Coburn said he was moving to recommend favorable action, largely in a symbolic way to say we need to pay bigger and more comprehensive attention to what's going on here. We are not going to solve those issues of equity. This is why when you buy a home, you get a lawyer because caveat emptor. Do we want to support something that is not sustainable, is not scalable under current policies and under current assumptions, as a symbolic statement that something more needs to be paid attention to here.

Ms. Keeney stated that the residents are coming to us with a clear issue they have gone through and they can't afford to pay for it themselves. It's not fair that some residents can't afford to pay for a survey done, and they can't. I think from a symbolic perspective, voting favorable action would send a clear signal to the Select Board, that this is a matter that should be addressed. I recognize this as potentially skipping the line for other people. But we can't ignore residents coming to us with a concern about their roads that that is a safety issue.

Cody Jacobs said he can't in good conscience vote for either motion. I think that there's a real problem with the lack of process. We're telling these people, you have to wait till your street comes up, but there's no list. Or here are the criteria by which you would get on the list in 2026 or 2028. And maybe there can't be a list, maybe they all have to be funded privately. Given what we did with the Fairview neighborhood, I don't know how we can tell people that we can't do it, that it's impossible. Everyone in town benefits when the roads are better, even if roads like this that aren't necessarily through streets. It's a very broken and backwards process that the sponsors have to go through so much to petition for this, but what about the other people who don't have the resources and the time to be able to contact all their neighbors put together a beautiful presentation, come to 50 million meetings with all these people.

Mr. Rooney stated that you've got a broken process here, and you're potentially putting the Finance Committee in a position to vote and give opinions on things where we have a process that doesn't work. And I don't like doing that. These are decisions that have to be made by the Select Board and I'm hearing

a representative of the Select Board say we recognize we've got a process problem. Well, I don't want to be part of that part process problem. I'm on the finance committee, to evaluate things relative to our finances, and make recommendations. If we're going to send a symbolic message to town meeting by a favorable vote, that's not the way it's going to come across in town meeting, the evaluation is going to be that we think we should do this. And I think it's totally unfair to others who are in a similar situation in this town with unaccepted roads.

Mr. Behery stated that I think the solution is not to create a legal problem by saying we're not going to follow the condition of the town counsel. At the same time, I don't see any value of saying we're sending a message. I think the clear message that Mr. Joseph can take from us today is the need to fix the process, we cannot ask citizens to pay for a survey from their own pockets.

Mr. Pope would like to see a plan in the next decade or whatever period is suitable, given budget constraints, to get every road done so that we don't have this issue favoring the neighbor who's most active. I love the the act of neighbors and encourage all of all of it but it shouldn't take that much to get roads safe for riding a bicycle or driving a car.

Mr. Zitnick was encouraged by this discussion that we're having. I'm glad there is a member of the Select Board here to hear it and hopefully bring that back to the Select Board as well as they come up with their priorities in the coming years, especially around this really important issue. Obviously, this is really important to many residents in Natick. This road is already costing us money so the quicker we can bring it up to standard, I think that that would be a good thing.

Ms. Wollschlager echoed others and stated she thinks the process is broken and this is something that the Select Board needs to fix. I think it's unfair to ask town meeting to appropriate funds that might go to waste. She thanked Mr. Joseph for representing the administration, so aptly and admirably. And I know that he has heard all that we have discussed tonight and can take that back to the board.

Paul Joseph stated he will raise the issue with the Select Board and will take this directive seriously.

Referral Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = abstain
Ms. Keeney = abstain	Ms. Monahan = yes
Mr. Pope = remote	Mr. Rooney = yes
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = abstain

**Article 20: Moratorium – III-F Cluster Development Allowed in Certain Districts**

Amanda Loomis, Director of Community & Economic Development, spoke to Article 20. She stated there was a defect in the advertisement for Moratorium Cluster Development Article that was approved at the Spring Annual Town Meeting (2022 SATM Article 25). We had to file a 299 form with the MetroWest Daily News to see if there were any adverse effects created by the defect in the advertisement. There was one filed, and we are waiting for a ruling from the attorney general. The

Planning Board voted 5-0-0 last week, to recommend favorable action on what is proposed under Article 20, which is a moratorium date for 18 months after September 7. September 7 was the date the article appeared in the Metro West Daily News. We hadn't fully started working on the cluster bylaw and we wanted to make sure we had that full length of time while we're waiting for the AGs office. So that is the reason for the amendment in the language.

Mr. Jacob asked about the timeframe which was 15 months from March 2 for the SATM article but is 18 months from September 7 now. Ms. Loomis stated that we hadn't fully started the working group at the public outreach process in the summer. We figured since we were advertising and going through the whole public process again, we'd get the additional time rather than having to come back later if it was needed at spring town meeting.

Mr. Coburn asked if there have been any applications submitted since September 7. Ms. Loomis stated that there have not been any applications submitted since prior to SATM. Mr. Coburn asked if one were to come forward, say next week, what would happen? Ms. Loomis said it would be basically on hold, because we are waiting for the Attorney General. The AG may actually state that this is not a defect and let this one go past. In that case, we wouldn't even need this article. But as of right now, we have not heard back from the AG.

Mr. Pope asked why 18 months instead of 15 months? Ms. Loomis said I just wanted to make sure that we had the moratorium through the 2023 fall town meeting.

Mr. Foss referenced Mass General Law that requires that the planning board post, two weeks in advance, and at the same time, provide the action that's going to be taken, along with maps related to the action be made available for public viewing. I received a complaint that that was not the case. Ms. Loomis replied that relative to articles 20 and 21, they would be available at our office if needed. The advertisements were all proper for those. Regarding number 22, which is actually the cluster bylaw, the planning board does not have it ready yet. So they are asking for that to be referred back to the planning board for a future town meeting. There are no maps for 20 and 21.

*Mr. Jacobs made a motion for favorable action on Article 20, with an amendment to change the date to September 7, 2022 and strike out the words for 18 months thereafter and replace with June 1, 2023, seconded by Mr. Gillenwater. There was a friendly amendment made to recommend to the moderator to add to the consent agenda, after Mr. Foss confirmed that the consent agenda requires a 2/3 vote. Motion passed 11-0-0.*

### **Debate:**

Mr. Jacobs said he supported the article but did not see the need to extend the dates further to fall town meeting. I think this is an important part of our zoning bylaws that allows denser development, which I think that we desperately need in Natick, we need more housing options. It's also important that we get it right. If the planning board determines we're just not ready at spring town meeting, they can come back and ask for an extension of the moratorium. I chose June 1, 2023, because that was the date in the original motion that we voted in the spring.

Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes
Mr. Pope = remote	Mr. Rooney = yes
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = yes

**Article 21: Regional Center (RC) Overlay District**

Ms. Loomis said this article had the same notice defect as Article 20 when it was considered in the spring (2022 SATM Article 24). However, we do expect this to be referred back to the town by the AG because they received 81 pages of statement stating that they were impacted by not being properly noticed.

This article is pretty much the same language as proposed in the spring. The only difference was it previously said without restriction. The intent of without restriction was to mean that there wasn't a restriction on the amount of space within a building, or a series of buildings. We removed the language without restriction and replaced it with by a special permit. Therefore, the parcels would then be able to move forward with an application via special permit and be evaluated on a case-by-case basis. This is an opportunity to make the clarifying language, which we do have a counsel's letter that it was supposed to be a special permit. So there would be no confusion.

Ms. Wollschlager asked if this motion has been reviewed with counsel. Ms. Loomis stated that this is the same as in the spring, with the only difference being without restriction is replaced with by a special permit. I'll be going over the articles with Town Counsel tomorrow.

Ms. Monahan asked if there a reason we can't say just shall be permitted in the RCA overlay district? Do we need to say it's by special permit? Ms. Loomis replied that in Commercial-II (CII), this is not an allowed use. So we wanted to be as clear as possible.

*Mr. Coburn moved to recommend favorable action on Article 21, seconded by Mr. Jacobs. Motion passed 11-0-0.*

Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes
Mr. Pope = remote	Mr. Rooney = yes
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = yes

**Article 22: III-F Cluster Development Allowed in Certain District**

Ms. Loomis this article is requested to be referred back to the Planning Board. We are moving forward

with a working group of Doug Landry and Terry Evans.

*Mr. Coburn moved to recommend referral to sponsor on Article 22 and to recommend to the moderator to place on the consent agenda, seconded by Mr. Gillenwater. Motion passed 11-0-0.*

Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes
Mr. Pope = remote	Mr. Rooney = yes
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = yes

*Mr. Gillenwater moved to close the public hearing, seconded by Ms. Sciarra, voted 12 - 0 - 0.*

Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes
Mr. Pope = remote	Mr. Rooney = yes
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = yes

Ms. Wollschlager reviewed the upcoming meeting schedule and agenda items. Thursday is our financial update. I understand that there is a presentation to the Select Board tomorrow night, it's probably going to be mostly the same. This will set the stage for our financial articles that we will be talking about a week from Thursday. Hopefully we'll have more information about free cash. There will be a Doodle poll to see if when people could meet the week of October 10<sup>th</sup>.

*Mr. Gillenwater moved to closing the public hearing, seconded by Ms. Sciarra, voted 11-0-0.*

Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes
Ms. Keeney = yes	Ms. Monahan = yes
Mr. Pope = remote	
Ms. Sciarra = yes	Ms. Wollschlager = yes
Ms. Yobaccio = yes	Mr. Zitnick = yes

*Mr. Gillenwater moved to adjourn, seconded by Ms. Sciarra, voted 11-0-0.*

Roll-call vote:

Mr. Behery = yes	Mr. Coburn = yes
Mr. Gillenwater = yes	Mr. Jacobs = yes

Ms. Keeney = yes  
Mr. Pope = remote  
Ms. Sciarra = yes  
Ms. Yobaccio = yes

Ms. Monahan = yes  
Ms. Wollschlager = yes  
Mr. Zitnick = yes

MEETING ADJOURNED 9:30 PM