#### AGENDA FOR BOARD OF SELECTMEN MEETING

October 22, 2018 @ 6:00 p.m.

Room 9, 121 Glen Road, Wilmington

1. Roll Call:

Chairman

**CAIRA** 

Selectman

BENDEL

Selectman

**EATON** 

Selectman

LOUD

Selectman

McCOY

6:00 EXECUTIVE SESSION for the Purpose of Discussing Negotiations with Jeffrey Hull, Town Manager, Over the Terms of a Potential Employment Agreement in Accordance with M. G. L. Chapter 30A, Section 21(a)2 and Further for the Purpose of Discussing Strategies with Respect to Litigation Involving New England Transrail with Respect to Their Petition Before the Federal Surface Transportation Board in Accordance with M. G. L. Chapter 30A, Section 21(a)3, as an Open Meeting May Have a Detrimental Effect on the Town's Position, and Further to Approve Executive Session Minutes from October 9, 2018 (PRIOR) and October 9, 2018 (POST) in Accordance with G.L. Ch. 30A, Sec. 22

#### Pledge of Allegiance

- 2. Transmitting of Treasury Warrant: # 15, 15A, 16 & 16A .
- 3. Approval of Minutes of: October 9, 2018.
- 4. Appointments:
  - 7:00 7:10 Karen Levesque, Right of Way Manager, Verizon, re: **Public Hearing** on Request of Verizon New England, Inc. and Reading Municipal Light Department to Place One (1) Pole on Arlene Avenue
  - 7:10 7:20 Scott C. Garrant, Chairman, 4th of July Committee, re: Request to Use the Town Common for Tree Lighting on December 1, 2018
  - 7:20 7:30 Michael J. Newhouse, Esquire, re: Request for Written Consent to Represent Eames Street Member LLC ("GFI")
  - 7:30 Michael J. Newhouse, Esquire, and Steven Goodman, Manager, Wilmington-Woburn Intermodel LLC and GFI Parners, re: Presentation of Warehouse Proposal for 51 Eames Street (Olin Superfund Site)

#### 5. Communications:

Letter from Lou Cimaglia, Director of Veterans' Services, re: Dedication of POW/MIA Chair.
Invitation to the Selectmen from Louis Cimaglia, Director, Department of Veterans' Services,
to Participate in Veterans' Day Ceremonies at the Town Common on Sunday,
November 11, 2018 at 11:00 a.m.
Memorandum from Valerie Gingrich, Director of Planning and Conservation, re: Planning Board
Waiver for 362 Middlesex Avenue Application.
Memorandum from Town Manager, re: Economic Development.
Memorandum from Town Manager, re: Survey About Satisfaction With Saturday Annual Town
Meeting

Correspondence from Paul Regan, Executive Director, MBTA Advisory Board, and Marc Draisen, Executive Director, Metropolitan Area Planning Council, re: Municipal Elections to the Boston Region Metropolitan Planning Organization. Board to Consider Authorizing Written Consent to Michael Newhouse, Esquire, to Represent 6. Eames Street Member, LLC ("GFI"). Board to Consider Approval and Execution of Town Manager's Employment Agreement. 7. 8. Board to Consider Signing the Warrant for the State Election to be Held Tuesday, November 6, 2018. 9. Board to Consider Request of Sharon George, Town Clerk to Appoint Additional Election Workers. 10. Board to Consider Request of Louis Cimaglia, Director, Department of Veterans' Services. that Wilmington Town Common be Illuminated in Green During the Month of November in Support of Veterans. Board to Consider Request of Mike Burns, Wilmington Rotary Club, to Post "1978/6" Signs at 11. Wilmington Common, Swain Green, Wilmington Library, Fourth of July Building, Rotary Park, Whitfield Site, Wilmington Town Hall and Yentile Park. 12. Board to Consider Request of Jean Chang, Co-Chair, Wilmington Council for the Arts, to Appoint Judi Hughes and Holly Popeo. 13. Board to Consider Request of We're One Wilmington to Place Signs on the Town Common for the Festival of Trees.

#### 14. Public Comments

New Business — ITEMS NOT REASONABLY ANTICIPATED BY THE CHAIRMAN 48 HOURS IN ADVANCE OF THE MEETING Important Dates:

```
October 22 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
```

October 22- Early Voting – Town Hall Auditorium

November 2 - Mondays 8:30 a.m. -7:00 p.m.; Tuesdays - Fridays 8:30 a.m. to 4:30 p.m

October 26 - Haunted Woods - Harnden Tavern - 6:30 p.m. to 9:30 p.m.
October 27 - Haunted Woods - Harnden Tavern - 6:30 p.m. to 9:30 p.m.

October 27 - Early Voting - Town Hall - 8:30 a.m. to 12:30 p.m.

October 28 - Horribles Parade - Rotary Park - 4:30 p.m.

November 4 - Harnden Tavern Open House - 2:00 p.m. to 4:00 p.m.

November 4 - Turn Clocks Back - Change Detector Batteries

November 5-

December 7 - Curbside Collection of Yardwaste

November 6 - State Election – Polls Open 7:00 a.m. to 8:00 p.m.

November 11 - Veterans' Day Ceremony - Town Common - 11:00 a.m.

November 12 - Town Offices Closed - Veterans' Day

November 13 - Board of Selectmen - Town Hall - Room 9 - 6:30 p.m.



# Town of Wilmington 121 Glen Road Wilmington, MA 01887

Dept. of Veterans' Services
Louis Cimaglia IV, Director

Phone (978) 694-2040 Fax (978) 284-8374

October 9, 2018

Wilmington Board of Selectmen Mr. Kevin Caira, Chairman 121 Glen Rd. Wilmington, MA 01887 18 UCI -9 PM 3: 4

HEROTH MAN NAMACE H

Dear Mr. Caira.

The Department of Veterans Services would like to request permission to dedicate a new POW/MIA Chair that was graciously donated by the Shawsheen Tech High School in Room 9 of Town Hall. The Department of Veterans Services would like to be placed on the agenda for your meeting in November to explain the Chair and its significance at your meeting. The Tech has been a great resource to our Department over many years and the POW/MIA Chair is just the latest example of the partnership we as a town have with them. Thank you for your consideration with this matter and please do not hesitate to contact our office if you have any further questions.

Lou Cimaglia IV, Director

**PEACE** 



Louis Cimaglia, Director lcimaglia@wilmingtonma.gov

# Town of Wilmington

# Department of Veterans' Services 121 Glen Road Wilmington, MA 01887-3597

PHONE: 978-694-2040 FAX: 978-284-8374

October 15, 2018

Mr. Kevin Caira, Chairman Wilmington Board of Selectmen 121 Glen Rd. (Town Hall) Wilmington, MA 01887

RE: Veterans Day

Dear Mr. Caira,

The Department of Veterans' Services would like to request permission to hold our Veterans' Day Ceremony on Wilmington Common on Sunday November 11th 2018 at 1100. The Wilmington Department of Veterans Services invites you and the Board of Selectmen to participate in remembering and honoring all our past and present Veterans on Sunday November 11th as always we will assemble at the Fourth of July parking lot at 10:45 a.m. and proceed to the Town Common for this year's Veterans' Day ceremonies at 11:00 a.m. This year's ceremony will begin with the ringing of our Ceremonial Bell 21 times as a salute and remembrance of those who served and sacrificed during WWI on its 100th year Anniversary. We would also like to request permission to "light the common green" for the month of November to honor all of our Veterans'. We would like to thank you and your Board for your past support for all our Department's events and your continued support for all the Veterans' in our town. If you have any questions please don't hesitate to contact our office.

Sincerely

Louis Cimaglia IV

Director

Dept. of Veterans Services

18 OCT 16 AM 11:5

HERITO - TOWN MANAGEL

### **MEMORANDUM**

To:

Jeffrey M. Hull, Town Manager

From:

Valerie Gingrich, Director of Planning & Conservation

Re:

Subdivision Rules and Regulations - Letter from Rob Fasulo

Date:

October 17, 2018

A letter was received by your office on October 10, 2018 from resident Rob Fasulo regarding the requirements of the Subdivision Regulations in reference to the proposed detox facility development at 362 Middlesex Avenue. The letter references a waiver request due to conflicting requirements in the Subdivision Rules and Regulations. I provide the following information to clarify and give context to the issue:

#### **Purpose of Subdivision Regulations**

The Rules and Regulations Governing the Subdivision of Land in the Town of Wilmington, Massachusetts (Rules and Regulations) govern the division of land and creation of streets in Town. These Rules and Regulations were adopted by the Wilmington Planning Board (Board) under the Subdivision Control Law (M.G.L. Chapter 41, Section 81K to 81GG) for the purpose of protecting the safety, convenience and welfare of inhabitants by regulating the laying out and construction of streets in subdivisions. The Rules and Regulations outline the process for submitting a subdivision plan to the Planning Board for review, the design standards for streets, and the construction standards for streets.

#### **Current Effort to Update the Subdivision Regulations**

Since the Rules and Regulations were written in 1975, standards and general ideas about street design have changed. As such, the Department of Planning & Conservation along with the Department of Public Works has been working to revise the Rules and Regulations over the past year. While working diligently on the revisions, the effort is very involved and taking a significant amount of staff time. Because standards have changed substantially in the past forty plus years, the document requires significant revisions and is essentially being rewritten. Technology has changed how plans are drawn up and reviewed, regulations have been adopted for stormwater management, and maximizing the amount of pavement is no longer the ultimate goal. While still in rough draft form, the proposed revisions will be finalized over the coming months and presented to the Planning Board for consideration. A public hearing will be held for the Board to consider comments from the public prior to adopting the amended Rules and Regulations.

#### Waivers

The Rules and Regulations provide the Board with the ability to waive strict compliance with the requirements when in the public interest and when not inconsistent with the Subdivision Control Law. The ability to waive strict compliance with the Rules and Regulations is provided for in M.G.L. Chapter 41, Section 81R.

Waivers are routinely granted for subdivisions to lessen the amount of pavement in a development for environmental purposes. Waivers are also granted to allow for street trees to be planted behind the sidewalk instead of in a narrow grass strip. Because the Rules and Regulations are outdated and the Board appreciates context sensitive design, waivers have been proposed and approved by the Board for each of the subdivisions in recent memory. The frequency and number of waivers approved by the Board led to the effort to revise the Rules and Regulations mentioned above so that the preferred design and construction standards are reflected clearly.

Potential Conflict: Street Design and Construction for a Non-residential Minor Street

A new street is proposed off of Middlesex Avenue as part of the subdivision of the 362

Middlesex Avenue parcel. The proposed street meets the definition of a Minor Street as described in Section II of the Rules and Regulations as opposed to a Major or Secondary Street:

Minor Street: A street which, in the opinion of the Board is being used or will be used primarily, to provide access to abutting lots and which will not be used for through traffic.

According to the Rules and Regulations Design Requirements, a Minor Street is required to have a minimum right of way width of fifty feet (50') (Section IV.A.3a). The proposed right of way width for the roadway at 362 Middlesex Avenue is fifty feet (50').

According to the Rules and Regulations Construction Requirements in Section V.B.2, a Minor Street is required to have a minimum of thirty-two feet (32') of pavement and a minimum right of way width of fifty feet (50'). The proposed roadway at 362 Middlesex Avenue meets both of these requirements.

However, in Section V.B.2 of the Construction Requirements, an additional note is added to the Major Street category that was not present in the Design Requirement Section: "Major Streets and all streets in a subdivision other than a residential subdivision." For this category, a minimum right of way width of sixty feet (60') and a minimum pavement width of forty-two feet (42') is required. This additional note creates a potential conflict between the Design Section and the Construction Section and because of this conflict, the applicant for the 362 Middlesex Avenue development has requested a waiver of the additional note that indicates a requirement for wider pavement and right of way for nonresidential subdivisions. However, the proposed street is considered a Minor Street by definition and as proposed, meets the pavement and right of way requirements. Town Departments have provided comments on the proposed development, and the thirty-two foot (32') pavement width and fifty foot (50') right of way width have been recommended to the Planning Board as appropriate.



INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

October 19, 2018

TO: Board of Selectmen

RE: Economic Development

At the Selectmen's meeting on September 10<sup>th</sup> we received very candid and sage advice from Secretary of Housing and Economic Development Jay Ash, State Senator Bruce Tarr and State Representative Ken Gordon. Some of the "take aways" from that meeting were:

- 1. Establish relationships with property owners;
- 2. Identify property owners who have property they are seeking to develop and who are interested in working with the Town;
- 3. Know who we are the Town's assets/strengths, the business sectors where Wilmington is strong, what residents desire;
- 4. Focus on 3 to 5 potential projects given our limited resources;
- 5. Maintain an effective/efficient permitting process get to "yes" or "no" promptly;
- 6. Build from within identify existing companies and pursue expansion and/or work with their supporting businesses:
- 7. Establish a single point of contact for businesses and communicate that to the business community.

Through the efforts of Planning & Conservation Director Valerie Gingrich, the Town is in the midst of a market analysis focused on a portion of the Route 38 corridor between Richmond Street and Clark Street. The study will provide demographic information and identify where residents are expending money to make purchases of products or services that they cannot obtain locally. This effort is a first step in helping us to know who we are as a community and the types of businesses that might be supported along that portion of the Route 38 corridor.

Under the same theme of "know thyself", the Town should seek to gather input from residents about their views on economic development and the types of services residents would like to see. Business development can create additional traffic and have other effects. What are residents' opinions about the balance between more business and the associated traffic, noise impacts etc. that will come with successful enterprises? Where should the Town be seeking to expand business? The Town should inquire about the idea of increasing opportunities for residential condominium or apartment development and neighborhood mixed use areas to support commercial uses. This kind of input will be gathered using surveys and conducting community forums. The Town will solicit the opinions of local businesses working with the Chamber of Commerce to obtain their perspectives on economic development and how the Town can partner with them.

This information gathering should include reference to the Town's Master Plan which was prepared in 2001. How many of the themes articulated in the Master Plan remain desired today by residents and business? What modifications should be considered to the Master Plan? The Master Plan will be used as a frame of reference for future discussions.

Feedback from these communications with residents and the business community can be used to propose changes to zoning. If consensus can be identified around certain issues such as increasing the number of uses as of right instead of by special permit or changing parking requirements, for example, then changes can be drafted to the zoning by-laws for consideration at a future Annual Town Meeting.

The North Suburban Planning Council (NSPC) is a subregion of the Metropolitan Area Planning Council (MAPC) and is comprised of nine (9) communities which include, in addition to Wilmington, North Reading, Reading, Wakefield, Lynnfield, Stoneham, Winchester, Woburn and Burlington. Each of these communities share immediate access or close proximity to Interstate 93 and Route 128. Wilmington will continue to participate in efforts of this coalition to promote itself as a distinct area of commerce and to share resources in pursuit of benefits to the entire subregion.

Representative Gordon noted the work of the Middlesex 3 to foster economic development. The overarching goal of the Middlesex 3 Coalition is to promote development along the Route 3 corridor. Wilmington's geographic location is clearly more oriented to Interstate 93 and Route 128 than to Route 3 however, Valerie Gingrich and I will be speaking with the Executive Director of the Coalition to more fully understand their efforts and to determine whether membership in the coalition would be of benefit to Wilmington.

The Town will reach out to specific business property owners in an effort to understand the plans for their property, to identify ways that the Town can work collaboratively and where possible develop a joint vision, as Secretary Ash noted, about possibilities for the property.

Efforts to pursue these economic development initiatives will be constrained to some measure by personnel resources and other responsibilities and commitments. Given staffing needs in other departments, I do not foresee pursuing additional personnel in support of economic development in Fiscal Year 2020. The Town will consider whether there are opportunities to partner with neighboring communities to enhance staffing for economic development.

These initiatives will take time and cannot be completed in the current fiscal year or even fiscal year 2020. As previously noted, efforts are underway to draft an inclusionary zoning by-law and to revise the 1975 vintage Subdivision Control Rules and Regulations. This work continues along with the day-to-day work in support of the Planning Board and Conservation Commission.

Board members will be presented with the results from the market study at an upcoming meeting in November. The Board will continue to be apprised of the efforts underway to address various aspects of economic development.

Town Manager

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

October 19, 2018

TO: Board of Selectmen

RE: Annual Town Meeting

This memo serves as a follow-up to my October 12, 2018 correspondence which advised you about plans to issue a survey to residents as to their preferences with respect to days of the week that they would prefer to attend the Annual Town Meeting. Attached is a hard copy of the survey. As previously noted, the survey will be available online via Survey Monkey with hard copies available at the Town Hall, Library and Senior Center.

This survey is part of the information gathering effort to assist the Board in deciding whether to propose or endorse an article for the 2019 Annual Town Meeting to change the Inhabitant By-laws as they relate to the establishment of the date for Annual Town Meeting. The survey will provide an indicator of public opinion on the matter. As previously noted, the survey will be available for residents to complete beginning Monday, October 22, 2018 with a deadline of Friday, November 30, 2018. Residents will receive a brief notice about the survey, with the link to Survey Monkey and where to obtain a hard copy, with the water bills which will be issued on November 1st.

Jeffrey M. Hull Town Manager

Attachment



## **Annual Town Meeting Survey**

Wilmington's Town Meeting is a form of democracy in which an annual meeting is held for registered Wilmington voters to vote on policy and budget for the Town. The Town's Board of Selectmen issues a warrant for the Meeting, which is the list of items (known as articles) to be voted on, with descriptions of each article. At the annual Town Meeting, voters vote on the new fiscal year budget and on articles that may include capital improvements, zoning changes and changes to the Town's general bylaws.

The purpose of this survey is to poll residents on the scheduling of the annual Town Meeting. Currently, Town Meeting occurs on the Saturday following the April Town Elections (taking place on the 4th Saturday in April). The Town Meeting begins at 10:30 am and may last into the evening.

begins at 10:30 am and may last into the evening.					
This survey can be taken electronically at the following URL: https://www.surveymonkey.com/r/GK9GCFF					
Question 1 -	- Are you a registered	voter in	the Town of Wilmington Massachusetts?		
	Yes	$\bigcirc$	No		
Question 2 -	How many Town Mee	tings ha	ve you attended in the past?		
	1-4		5 or more		
	0				
Question 3 - If you have been unable to attend past Town Meetings, why? (Please select all that apply)					
	Work Schedule		Transportation Reasons		
	Family commitments	$\bigcirc$	Length of Town Meeting		
	Other commitments	$\bigcirc$	Uninterested		
	Other (please specify)				
Question 4 – Are you likely to attend Town Meeting on a Saturday?					
$\bigcirc$	Yes	$\bigcirc$	No		
Question 5 - Are you likely to attend an annual Town Meeting scheduled over multiple nights in the same week?					
	Yes	$\bigcirc$	No		

Question 6 – Are you likely to attend an annual Town Meeting scheduled on a weeknight over consecutive weeks?						
Over consec	Yes	$\bigcirc$	No			
Question 7 – If you would prefer to attend Town Meeting on a weeknight, which night(s) of the week work best for your schedule? (Please select all that apply)						
	Tuesday					
	Wednesday					
	Thursday					
Question 8 - If you would prefer to attend Town Meeting on a Saturday, which week(s) work best for your schedule? (Please select all that apply)						
	The 4th Saturday of April	$\bigcup$	The 2 <sup>nd</sup> Saturday of June			
$\bigcirc$	The 1 <sup>st</sup> Saturday of May					
	The 2nd Saturday of May					
	The 3 <sup>rd</sup> Saturday of May					
	-		Town Meeting on a weeknight, which week(s)			
work best fo	r your schedule? (Plea	se sele	ct all that apply)			
	The 4th Week of April	$\bigcirc$	The 1st Week of June			
	The 1 <sup>st</sup> Week of May	$\bigcirc$	The 2 <sup>nd</sup> Week of June			
	The 2 <sup>nd</sup> Week of May					
	The 3 <sup>rd</sup> Week of May					
Please provide your house number and street name for us to validate your						
residency in Wilmington. This information will not be shared.						
Wilmington A	ddress					
Survey Complete						
Thank you for your time!						



18 OCT -9 AM 10: 28

WILMHOTON, MASS MBTA Advisory Board

177 Tremont Street, Boston, MA 02111 Tel: (617) 426-6054 Fax: (617) 451-2054

October 5, 2018

TO: Chief Elected Officials

Paul Regan, Executive Director, MBTA Advisory Board FR:

Marc Draisen, Executive Director, Metropolitan Area Planning Council

RE: Municipal Elections to the Boston Region Metropolitan Planning Organization

We are pleased to forward the 2018 MPO Ballot for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

This year there are four (4) municipal open seats on the MPO. The Town of Arlington is running unopposed for the At-Large Town seat. The City of Newton is running unopposed for the At-Large City Seat. The City of Woburn is running unopposed for the North Suburban Planning Council seat. The town of Norwood is running unopposed for the Three Rivers Interlocal Council seat.

#### **Key Dates and Locations:**

October 30, 2018

Absentee Ballots Due

5:00 PM delivered by mail or in person (No Fax or Email) to:

**BOSTON REGION MPO ELECTIONS** Metropolitan Area Planning Council

60 Temple Place, 6<sup>th</sup> Floor

Boston, MA 02111

October 31, 2018

MPO Municipal Election

At MAPC Fall Council Meeting, 9:00AM

**Boston Marriott Burlington** 

1 Burlington Mall Road, Burlington, MA 01803

#### **Voting Rules:**

One vote may be cast by each of the Chief Elected Officials of the 101 municipalities in the Boston region, for each open seat (there are 4 open seats). Ballots may be cast by one of the following ways:

- 1. By the CEO, in-person, on October 31, 2018 at MAPC Fall Council Meeting.
- 2. By Absentee Ballot, delivered by mail or in-person to MAPC by 5:00 PM the day before the election, October 30, 2018.
- 3. By a designee, in-person, on October 31, 2018 at MAPC Fall Council Meeting.

Each Chief Elected Official or their designee, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats (for a total of 4 votes cast).

#### **Appointing Designees:**

Designees shall present a signed letter or signed MPO Ballot by the CEO of the municipality they are representing, to MAPC staff prior to the election or by 9:00 AM on the day of the election. Designees may represent only one municipality in the election.

#### **Certification of Results:**

The results of the election shall be certified by the Chairman of the MPO by 12 noon on Friday November 2, 2018.

We appreciate the interest shown by the candidates in choosing to serve in these seats on the MPO and for your interest in this important matter. We look forward to your participation. Please contact Eric Bourassa at MAPC (617-933-0740) or Paul Regan, Executive Director of the MBTA Advisory Board (617-426-6054), if you have any questions concerning this election.

# 2018 MPO Absentee Ballot

The MPO Election will be held on Wednesday, October 31, 2018
MAPC Fall Council Meeting
Boston Marriott Burlington
1 Burlington Mall Road, Burlington, MA 01803

Absentee ballots must be delivered by October 30, 2018 via mail or in person (No Fax or Email) by 5 PM to:

BOSTON REGION MPO ELECTIONS

Metropolitan Area Planning Council 60 Temple Place, 6<sup>th</sup> Floor Boston, MA 02111

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats.

# Chief Elected Official may:

Vote for only one from the North Suburban Planning Council						
	Woburn	Scott Galvin, Mayor				
	Vote for	only one from the Three Rivers Into	erlocal Council			
	Norwood	Tom Maloney, Chair Board of Sele	ctmen			
Vote for only one At-Large City						
	Newton	Ruthanne Fuller, Mayor				
		Vote for <u>only one</u> At-Large Tow	'n			
	Arlington	Daniel J. Dunn, Chair Board of Sele	ectmen			
Municipality Chief Elected Official						
	_		(Signature)			
		_	(Print or type name)			

Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 31<sup>st</sup> at the MAPC Fall Council Meeting.

Designation of alternate (by Mayor or Chair Board of Selectman):			
I hereby authorize (name)	to cast the ballot for (municipality)		
Chief Elected Official (signatu	re) Date		