



Town of Winchester

Town Manager's Office
71 Mt. Vernon Street
Winchester, MA 01890
Phone: 781-721-7133
Fax: 781-756-0505
townmanager@winchester.us

Board of Selectmen Meeting
Monday, September 26, 2016

TOWN MANAGER REPORT AND COMMENTS

- Docket Item **B-1:** Appointment: Treasurer / Collector's Office
Veronica Drougas, 5 Janis Terrace, Woburn, MA
Principal Clerk – 26 Step VI at \$46,780/year
- B-2:** Bump-outs at Winchester High School
- B-3:** Complete Streets Funding Award
- B-4:** Eversource Update
- B-5:** MassHousing / Forest Ridge 40B Update
- B-6:** MBTA Winchester Center Commuter Rail Station
- B-7:** WHS Parking Status
- B-8:** Town Counsel Selection Advisory Committee
- B-9:** MWRA / Winchester Water Supplies
- B-10:** Fall 2016 Town Meeting Dates
- B-11:** Food Waste Program at Transfer Station
- B-12:** Town Center Parking Changes Update
- B-13:** Fish Ladder Mill Pond Update

Supporting Documents:

- B-1:** Memo from Town Manager with attached memo from
Treasurer / Collector Sheila Tracy;
- B-2:** Memo from Town Engineer / Traffic Advisory Committee
- B-3:** Copy of Award certificate.
- B-5:** Letter to MassHousing from Stoneham Selectmen
- B-6:** DRAFT MBTA Winchester Station Design Update
- B-10:** Town Manager's memo to Boards re: Fall Town Meeting
deadlines

Certificate of Funding

The Massachusetts Department of Transportation recognizes the commitment of the

Town of Winchester

to safety and access for all roadway users and is pleased to provide

\$400,000

The Complete Streets Funding Program supports projects that will improve safety, ADA accessibility, pedestrian and bike mobility, transit access and operations, and vehicular and freight operations. On behalf of the Commonwealth, we are proud to be a partner with the Town of Winchester and pleased support your Complete Streets project.



MassDOT Secretary & CEO Stephanie Pollack



Highway Administrator Thomas J. Tinlin



TOWN OF WINCHESTER
ENGINEERING DEPARTMENT
71 MT. VERNON STREET, WINCHESTER, MA
PHONE 781-721-7120 / FAX 781-721-7166

TO: Richard Howard, Town Manager
FROM: Beth Rudolph, PE, Town Engineer *BER*
DATE: September 21, 2016
RE: Winchester High School Bump-out Design – TAC Review

On September 13, 2016, the Town Manager’s Office requested that TAC review the layout of the new curbing recently installed on Skillings Road in front of the Winchester High School as part of the High School renovation project. In particular, the project design included the installation of “bump-outs” in the curb line on Skillings Road to protect vehicles in front of the school during pick-up and drop-off, and to act as a traffic calming measure to slow down passing vehicles. Since the installation this summer, there have been several instances where vehicles headed west on Skillings Road have hit the new bump-out at the WHS entrance causing flat tires and, in at least one case, more severe damage. The center island on Skillings Road has temporarily been removed, but the project design calls for it to be reconstructed at a width of 5-feet.

TAC met on September 20, 2016 to discuss this issue. In attendance was Beth Rudolph, Town Engineer; Matt Haringa, Assistant Town Engineer; Sgt. Tom Groux, Safety Officer; Cpt. Rick Tustin, Fire Department; Brian Szekely, Town Planner; and Judy Evans, Superintendent of Schools. The group reviewed the three options proposed by Skanska, SMMA, and the traffic engineer for the project, Bryant Associates to improve safety at the bump-out locations. These options included:

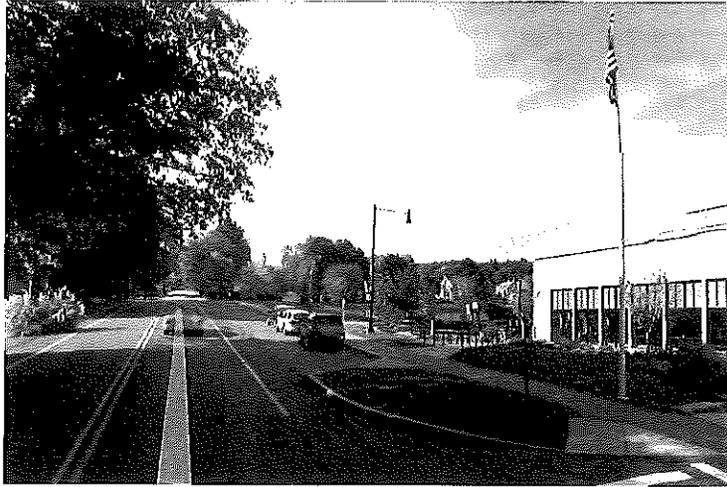
- **Option 1** – Maintain the existing curb alignment at the bump-out and add new pavement markings to help guide vehicles away from the curbing. Add new reflective delineators to the edge of the curb on Skillings Road.
- **Option 2** – Reduce the size of the bump-out at the entrance so that there is additional space between the solid white “fog” line and the curbing.
- **Option 3** – Eliminate the bump-out at the WHS entrance entirely and replace it with striping.

Members of TAC expressed concern that the new curb line was directly abutting the white edge or “fog” line along the road, giving drivers no margin for error if they cross the white line. Although the distance from the white line to the curb or edge of road may vary, the DPW has indicated that they typically paint the line a minimum of 1.5 to 2-feet off of any curbing on other Town roads.

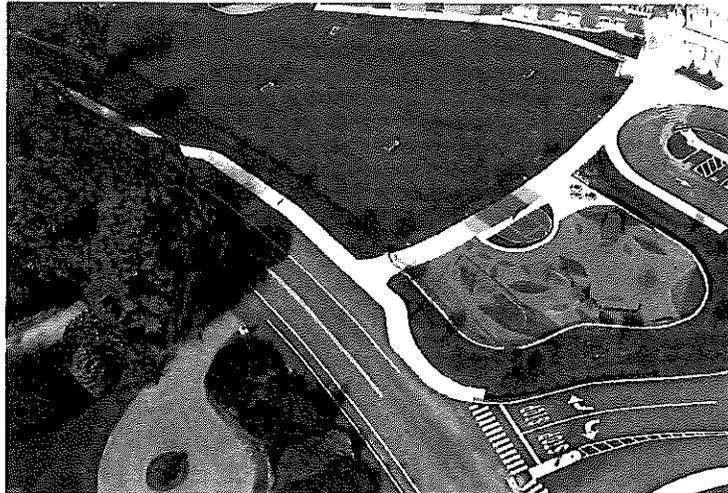


Existing bump-out at WHS entrance drive

It was noted that both the Ambrose and Vinson-Owen Elementary Schools both have bump-outs along their frontage on High Street and Johnson Road, respectively. However, in both cases the curb line is offset from the white edge line (see photos below), and has provided satisfactory protection to cars who stop in this area during pick-up and drop-off.



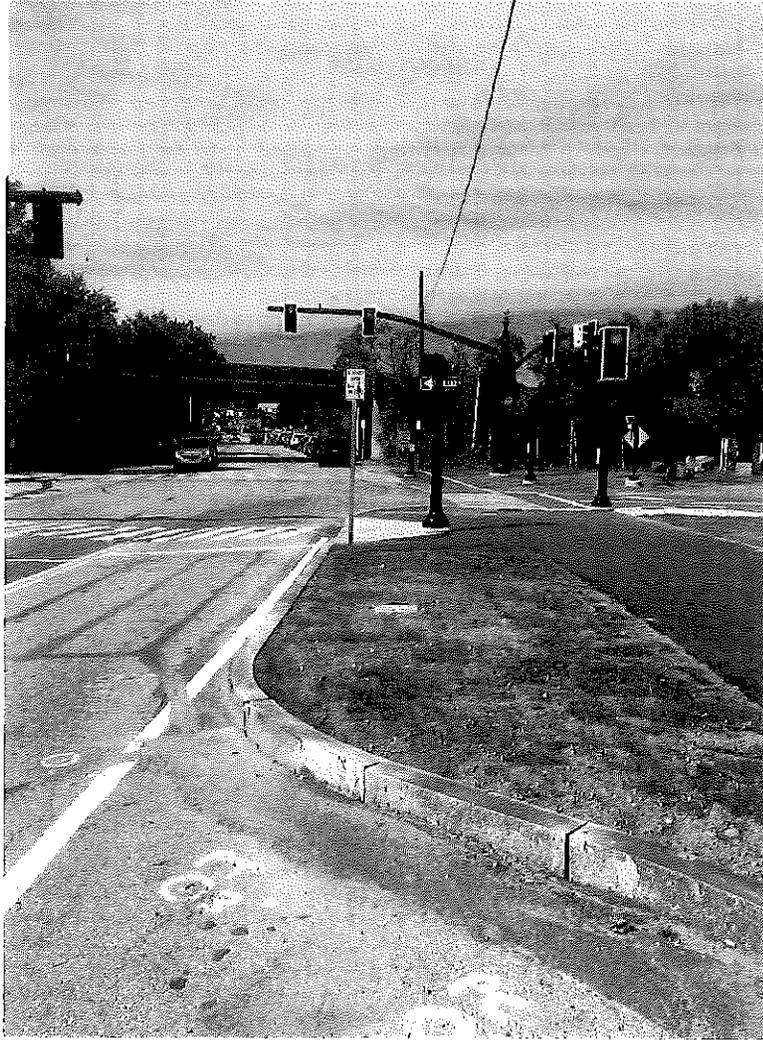
Ambrose School on High Street



Vinson Owen School on Johnson Road

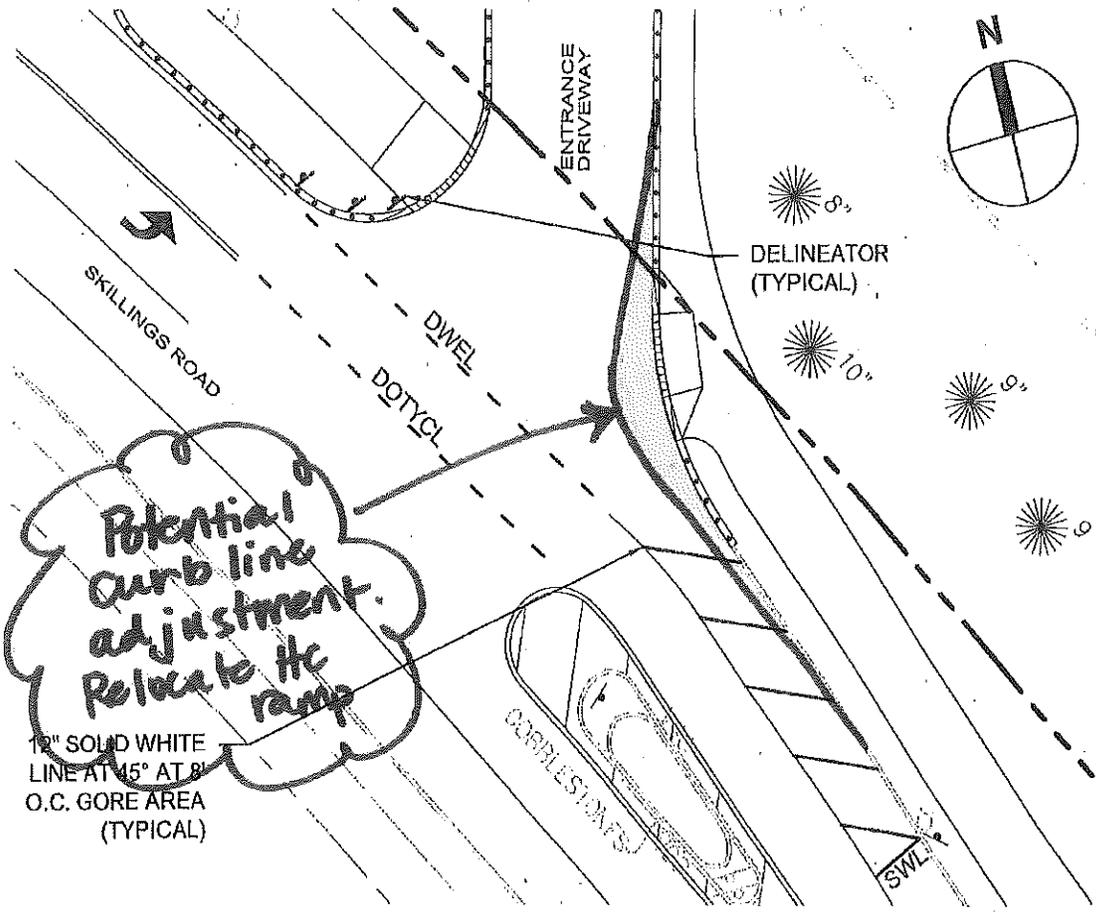
TAC Recommendation

TAC recommends that the curb line for the new bump-out at the entrance to WHS be pushed back approximately 2-feet from its existing location to provide additional separation between the white edge line and the curb line, and that the additional pavement markings proposed by SMMA/Skanska under Option 1 be implemented to further highlight the area. TAC also recommends that the engineers look at the bump out installed at the driveway exit and consider pushing that curb line back as well, if possible given the additional site constraints at this location (pedestrian signal, handicapped ramp, etc.; see photo below).



Existing bump-out at WHS exit drive

In addition to these changes, TAC recommends that the curb line on the south side of the WHS entrance driveway be modified to tighten the turning radius into the school (see figure below). This would help to reduce the speed of cars entering WHS, as the current driveway opening is very wide, and would bring the curbing on the east side more in-line with the curbing at the new bump-out.



cc: Judy Evans, Superintendent



Docket Item:
B-5:
September 26, 2016

T
S T O
35 CENTRAL STREET
STONEHAM, MASSACHUSETTS 02180
TEL: (781) 297-2680 • FAX: (781) 279-2681

BOARD OF SELECTMEN

September 14, 2016

Ms. Katherine Lacy, AICP
Permitting and Monitoring Specialist
MassHousing
One Beacon Street
Boston, MA 02108

RE: Project# MH #851, Winchester, MA "Forest Ridge"

Dear Ms. Lacy:

Please accept this letter on behalf of the Board of Selectmen of the Town of Stoneham in reference to the application for project eligibility approval submitted to MassHousing by Krebs Investor Group, LLC (the "Applicant") for a 296 dwelling unit development ("proposed development") in Stoneham and Winchester, Massachusetts.

For the reasons set forth below, the Board of Selectmen urge MassHousing, in the strongest possible terms, to deny the Applicant's request for project eligibility approval.

Almost three years ago, despite undisputed facts that an application for project eligibility scored a zero (0) on MassHousing's "Smart Growth Scorecard," and conclusive evidence that the proposed project was inconsistent with Town plans and would cause irreparable flooding of abutting properties, MassHousing granted project eligibility approval for the "Commons at Weiss Farm" in Stoneham.

Now, faced with yet another massive residential development project that will dramatically and unreasonably impair the Town of Stoneham, the Board of Selectmen have made your task as "gatekeeper" pursuant to 760 CMR 56.00 et seq. straightforward: MassHousing has no lawful choice but to deny the project eligibility application for "Forest Ridge".

1. MassHousing Lacks Authority to Grant Project Eligibility Approval for a Project that Is Not Filed Pursuant to G.L. c.40B, ss.20-23 and Contains No (Zero) Below Market Dwelling Units.

It is unlikely that we need to inform MassHousing of one of the few rules governing the comprehensive permit process, but will to highlight the infirmities of this application. Whatever authority MassHousing has been granted pursuant to 760 CMR 56.00 et seq. this authority does not include approving project eligibility for a development project that is not filed pursuant to G.L. c.40B, ss.20-23. Put otherwise, “project eligibility” approval from MassHousing is relevant only to an application filed pursuant to G.L. c.40B, ss.20-23 and to nothing else.

And, as MassHousing knows, in order to comply with the filing requirements of G.L. c.40B, ss.20-23 and the relevant guidelines governing “New England Fund” projects, the proposed project, as filed, must contain 25% of the dwelling units as “affordable”. The above noted project contains zero (0) “affordable” dwelling units in Stoneham.

The proposed project is totally reliant upon land in Stoneham for ingress and egress; yet the application includes no below market rate dwelling units in Stoneham.

It cannot be seriously debated—and it certainly is not lawful to conclude—that an application that lacks any below market rate units qualifies for project eligibility approval.

As is readily apparent in the proposal submitted to MassHousing, access to and from the locus relies on land in Stoneham. This land, along the Winchester/Stoneham town line, extends westerly beyond a portion of Fallon Road in Stoneham. Almost all of the Stoneham land contains jurisdictional wetlands pursuant to the Wetland Protection Act and the Stoneham Wetlands Bylaw, the latter prohibiting the fill and wetlands disturbance required to construct the access way to the locus.

In addition, the Stoneham Zoning Bylaw prohibits all multi-family structures and uses—precisely what is being proposed here—within the relevant zoning district (C-2). The law governing this situation is well settled: the land in Stoneham cannot be used for access to a use in Winchester that is prohibited within the Stoneham land. See, among others, Town of Brookline v. Co-Ray Realty Co. Inc., 326 Mass. 206 (1950), (Brookline Zoning Bylaw prohibiting multi-family uses enforceable against project in Boston seeking to use portion of land in Brookline).

Such a zoning “barrier” could possibly be overcome if the applicant filed for a comprehensive permit in Stoneham. But as discussed above, a comprehensive permit filing in Stoneham would require the set aside of below market rate dwelling units. None are provided and the project eligibility application must be denied.

2. The Applicant has Provided No Evidence or Support That It Has Site Control Over the Land In Stoneham

In a transparent and shameful attempt to disguise the importance and applicability of the land in Stoneham to the proposed project, the applicant wrongly states on page 5 of the application that the site is located “entirely within one municipality”. As discussed above and is obvious from the project application, one principal access to the project is entirely in the Town of Stoneham.

In addition, the applicant wrongly states on page 12 of the application that “easements or rights of way over other properties” are not required to develop the locus.¹

Putting aside these wrong and misleading statements, the applicant has an affirmative obligation to demonstrate to MassHousing that it has site control. See page 1 of MassHousing’s site approval application form.

The applicant has provided nothing to MassHousing, because no support exists, demonstrating that it has control over the land in Stoneham—land over which it plans to develop as a primary ingress and egress route to the proposed project.

Decades ago, the Supreme Judicial Court anticipated the potential for mischief entailed in G.L. c. 40B’s “streamlined” permitting process, and sensibly held that disclosure of, and conditioning of a comprehensive permit upon a demonstrated property interest was necessary to provide “protection against the unlikely possibility of frivolous applicants who have no present or potential property interest in the site”. See Board of Appeals of Hanover v. Housing Appeals Committee, 363 Mass. 339, 378 and n. 25.

As MassHousing is well aware, site control is now a regulatory requirement. See 760 CMR 56.04(1)(c).

MassHousing has an affirmative obligation to ensure that this applicant has “sufficient legal control of the site”. See page 1 of MassHousing’s site approval application form. The applicant, with every opportunity to submit a evidence demonstrating rights in the land in Stoneham, failed to satisfy this regulatory requirement and, accordingly, the project eligibility letter must be denied.

3. Stoneham Concur with the Comments Submitted by Senator Lewis and on Behalf of the Winchester Board of Selectmen

The Stoneham Board of Selectmen concur with the comments submitted to MassHousing from Senator Jason Lewis (July 21, 2016) and the Town of Winchester (September 1, 2016); they

¹ Project eligibility approval should be denied for these wrong and misleading statements alone.

Ms. Katherine Lacy, AICP
September 14, 2016
Page 4 of 4

need not be repeated here simply because, as it relates to the project in the Town of Stoneham, MassHousing has no lawful choice but to deny the project eligibility application.

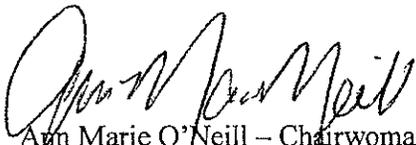
Conclusion

MassHousing has invited the Town of Stoneham to comment on the above noted application because a portion of the land used for the project's ingress and egress lies in Stoneham. MassHousing lacks any authority to issue project eligibility for the proposed project where: (1) the Stoneham Zoning Bylaw prohibits multi-family use and development on the land proposed for roadway development in Stoneham; (2) the proposed project contains no below market rate dwelling units in Stoneham and (3) the applicant has provided no evidence or support that it has any access rights over the land in Stoneham.

Please contact us if you have any questions.

Thank you.

Very truly yours,



Ann Marie O'Neill – Chairwoman
Stoneham Board of Selectmen

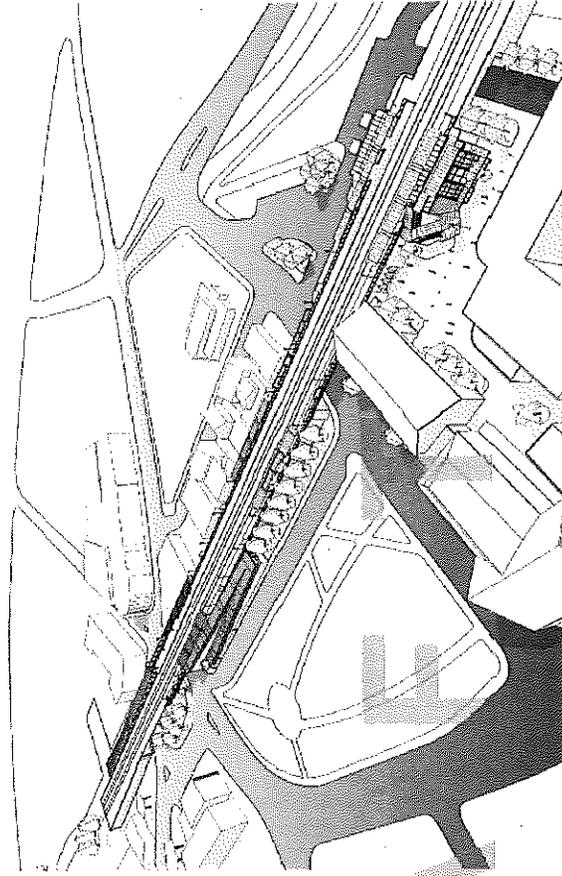
cc: Jason Lewis, Senator
Michael Day, Representative
Jonathan Witten, Esq., Special Town Counsel

INTRODUCTION

WINCHESTER CENTER STATION UPDATE

LATEST DESIGN DEVELOPMENT DISCUSSION

- INTEGRATION WITH PROPOSED MASTER PLAN
- UPDATED VIEWS
- ARTICULATION OF STATION MAIN ENTRANCE
- MATERIALS, COLORS, AND TEXTURES



**MBTA WINCHESTER TOWN MEETING
2016 SEPTEMBER 15**

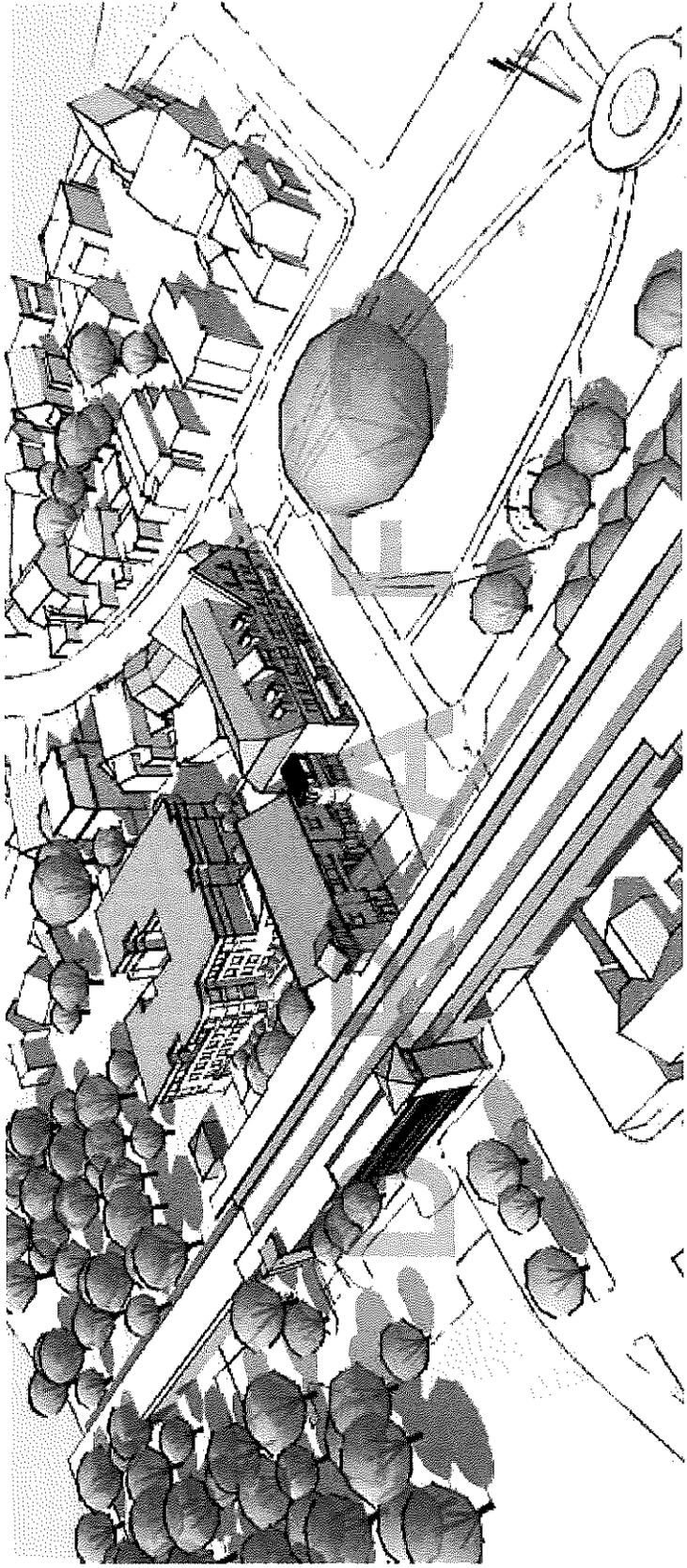
B-6
9-26-16

INTEGRATION WITH PROPOSED MASTER PLAN:

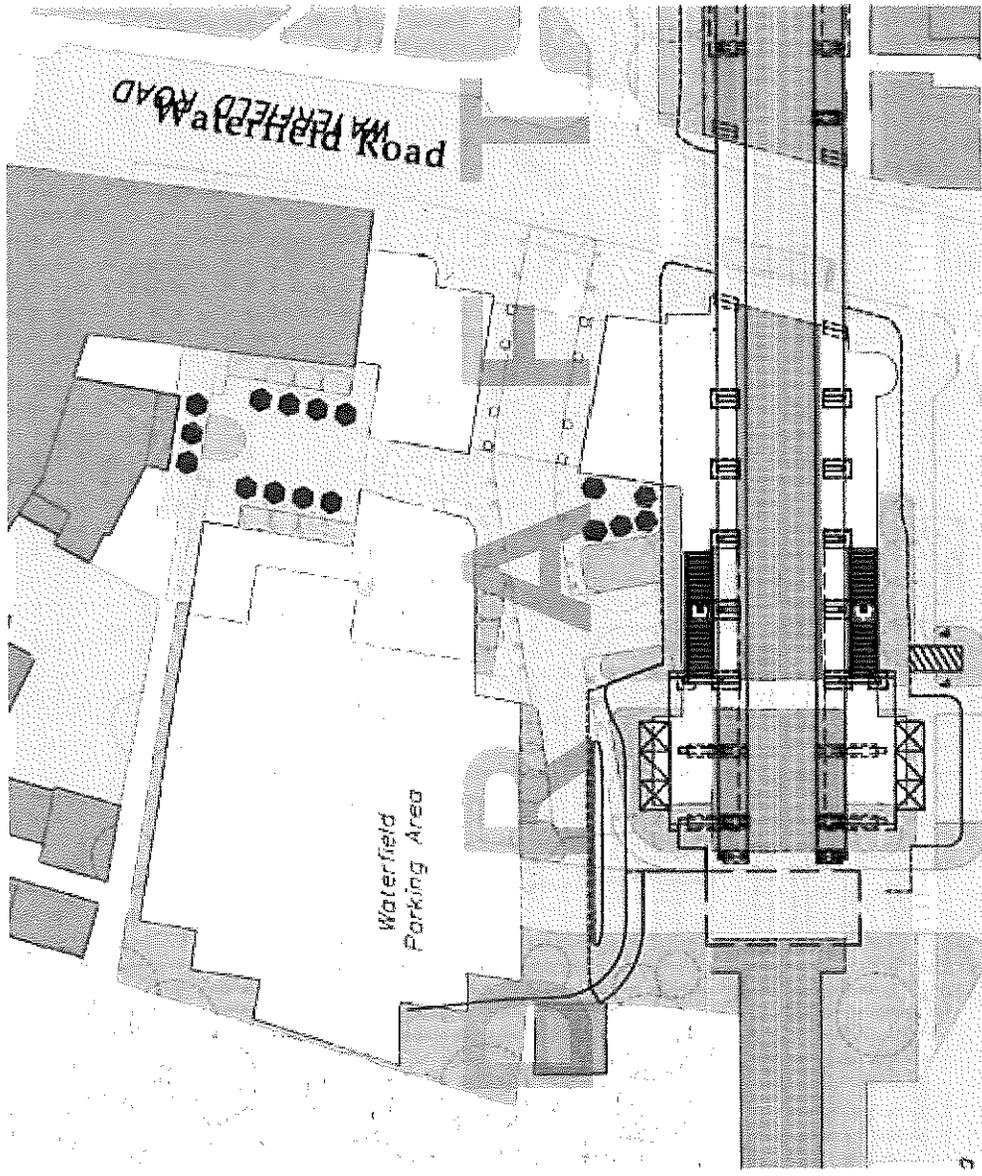
- Orientation of MBTA station's main entrance engaging with new master plan massing
- New public plaza connecting MBTA station with new master plan developments
- Visual connection between new master plan gateway and MBTA station main entrance

DRAFT

**INTEGRATION OF WINCHESTER PROPOSED
MASTER PLAN INTO MBTA STATION DESIGN**



Winchester Proposed Master Plan



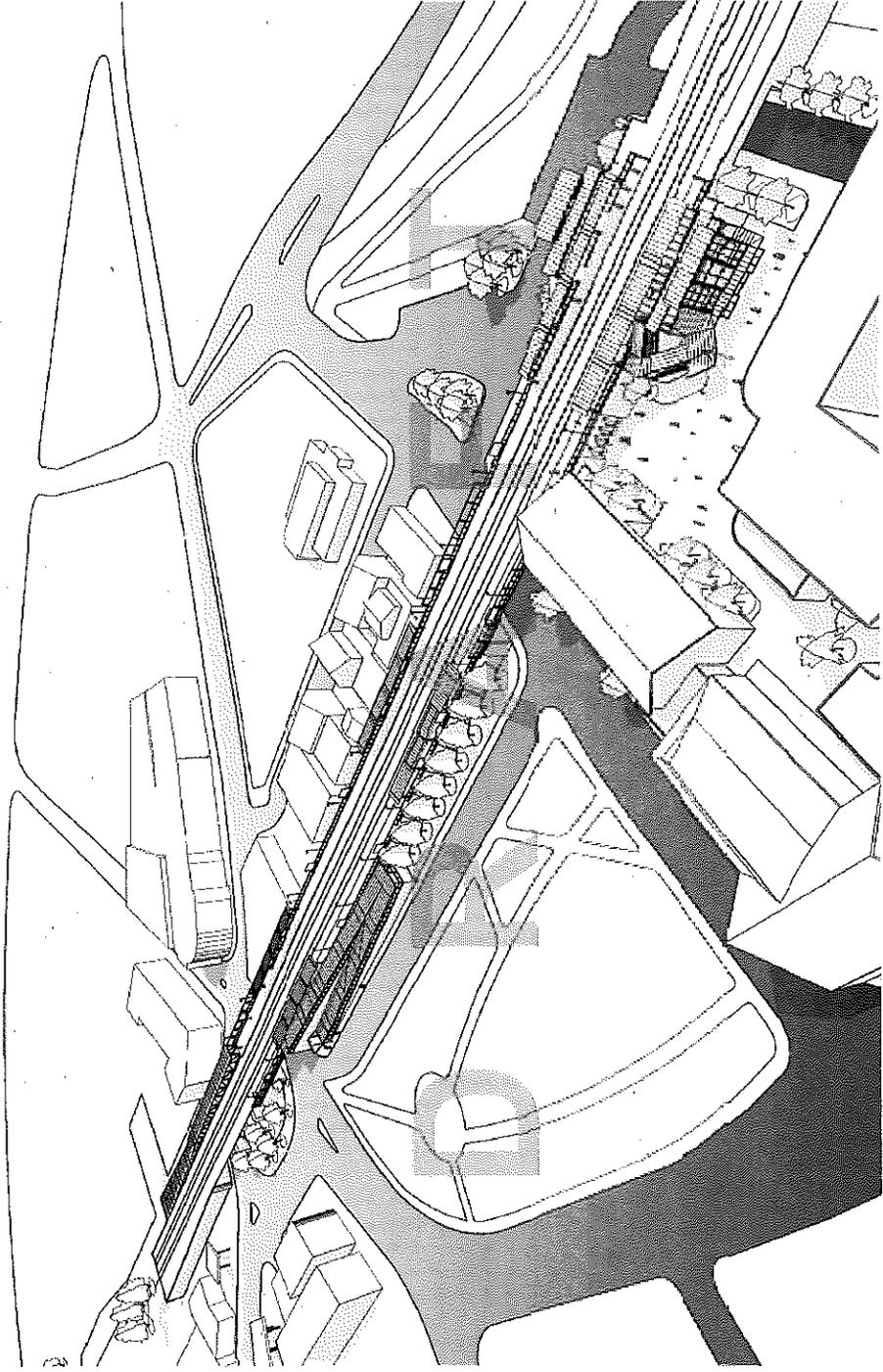
Integration of MBTA Station Design with New Master Plan

UPDATED VIEWS

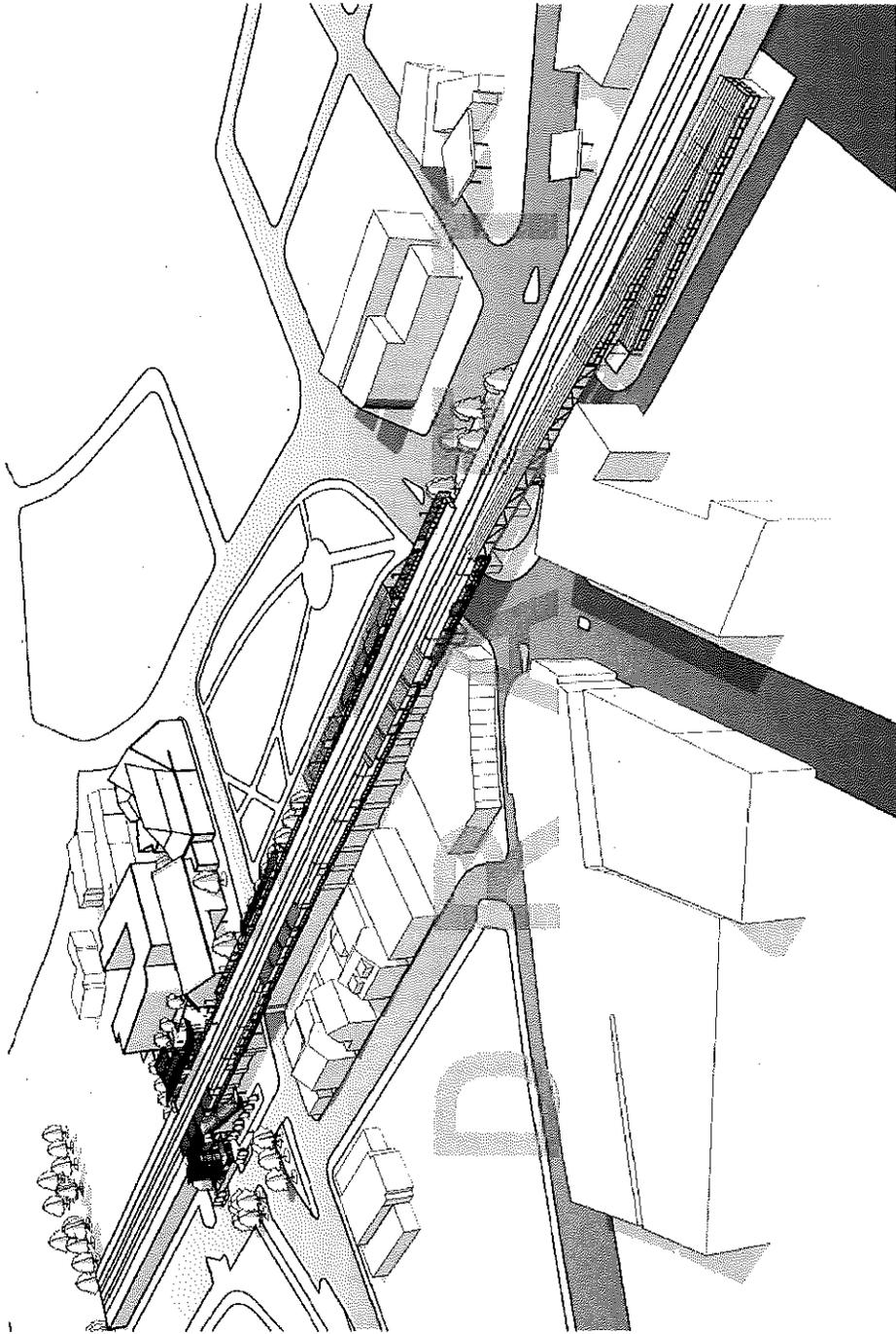
- Focus on connection with Master Plan elements
- Station Entrances (Ramps, Stairs, Elevators)

D R A F T

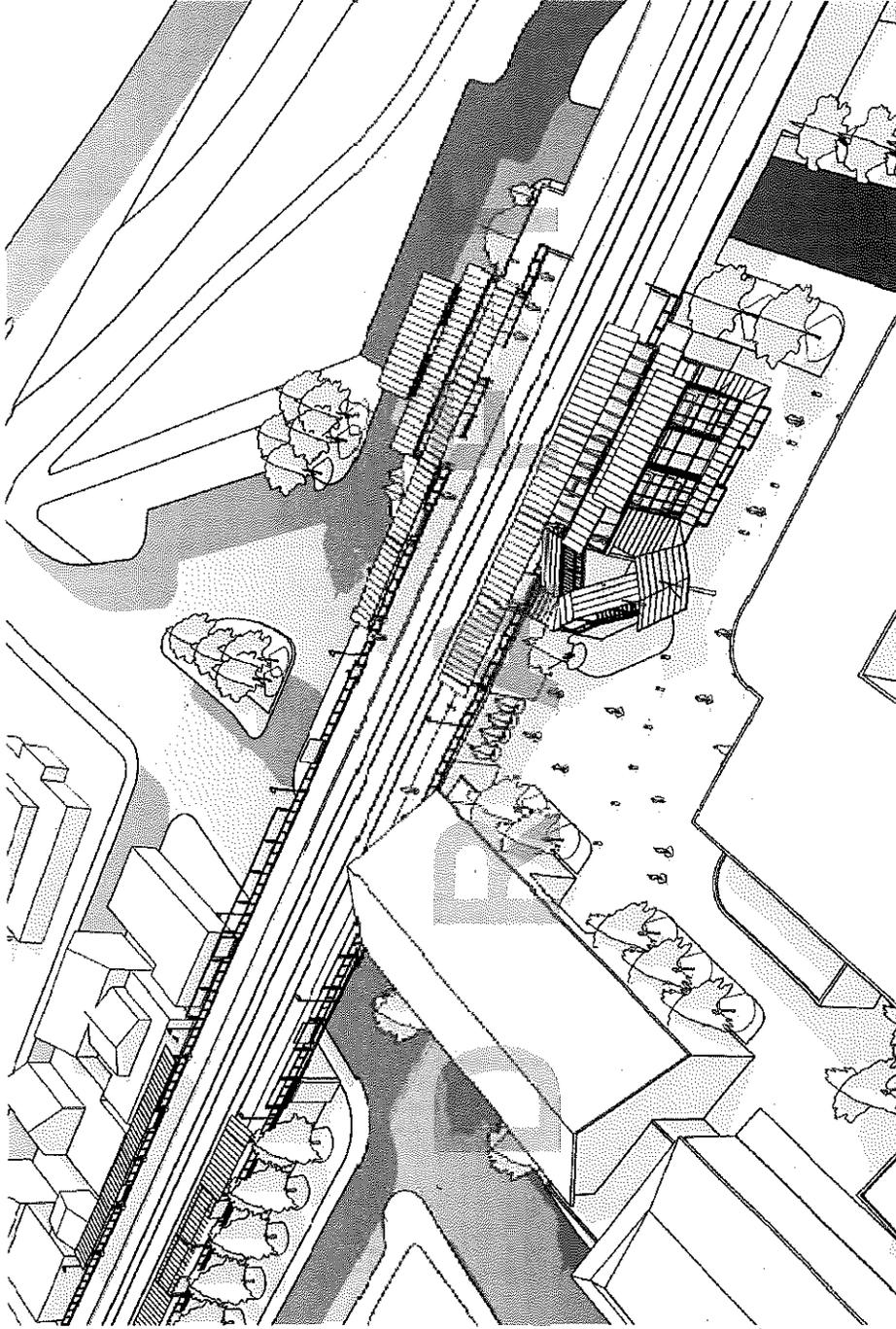
**INTEGRATION OF WINCHESTER PROPOSED
MASTER PLAN INTO MBTA STATION DESIGN**



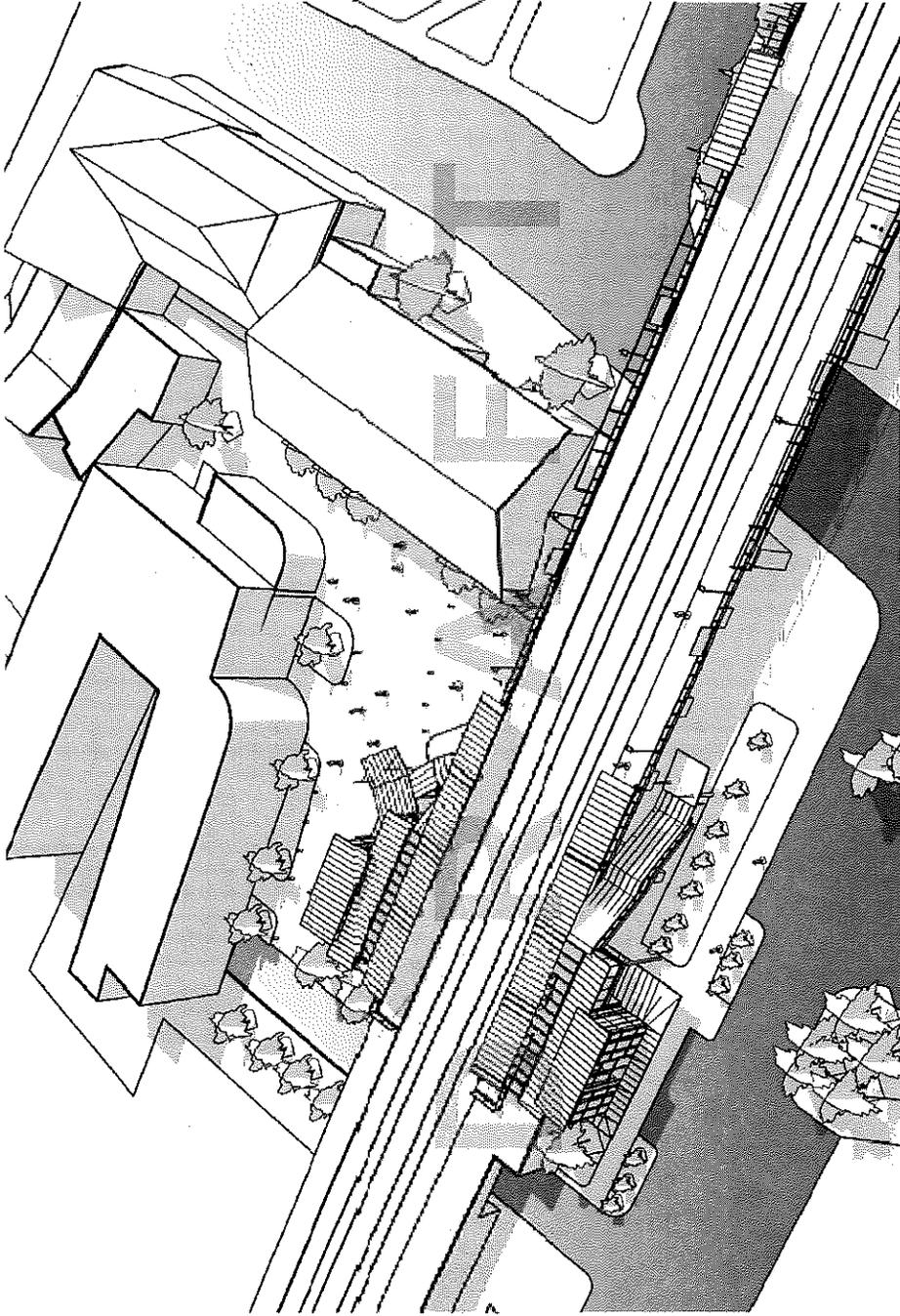
View 1 – East Aerial View



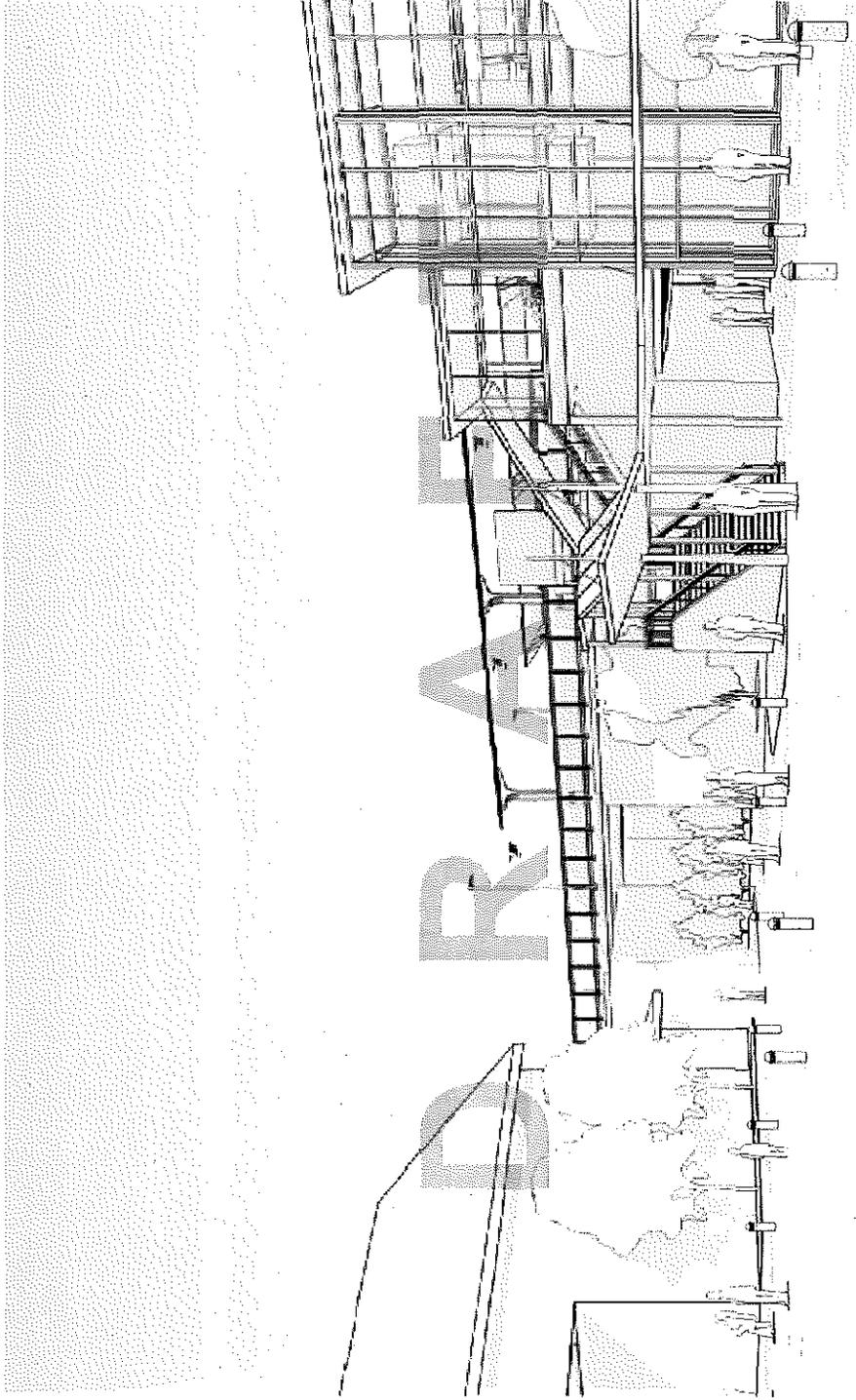
View 2 – West Aerial View



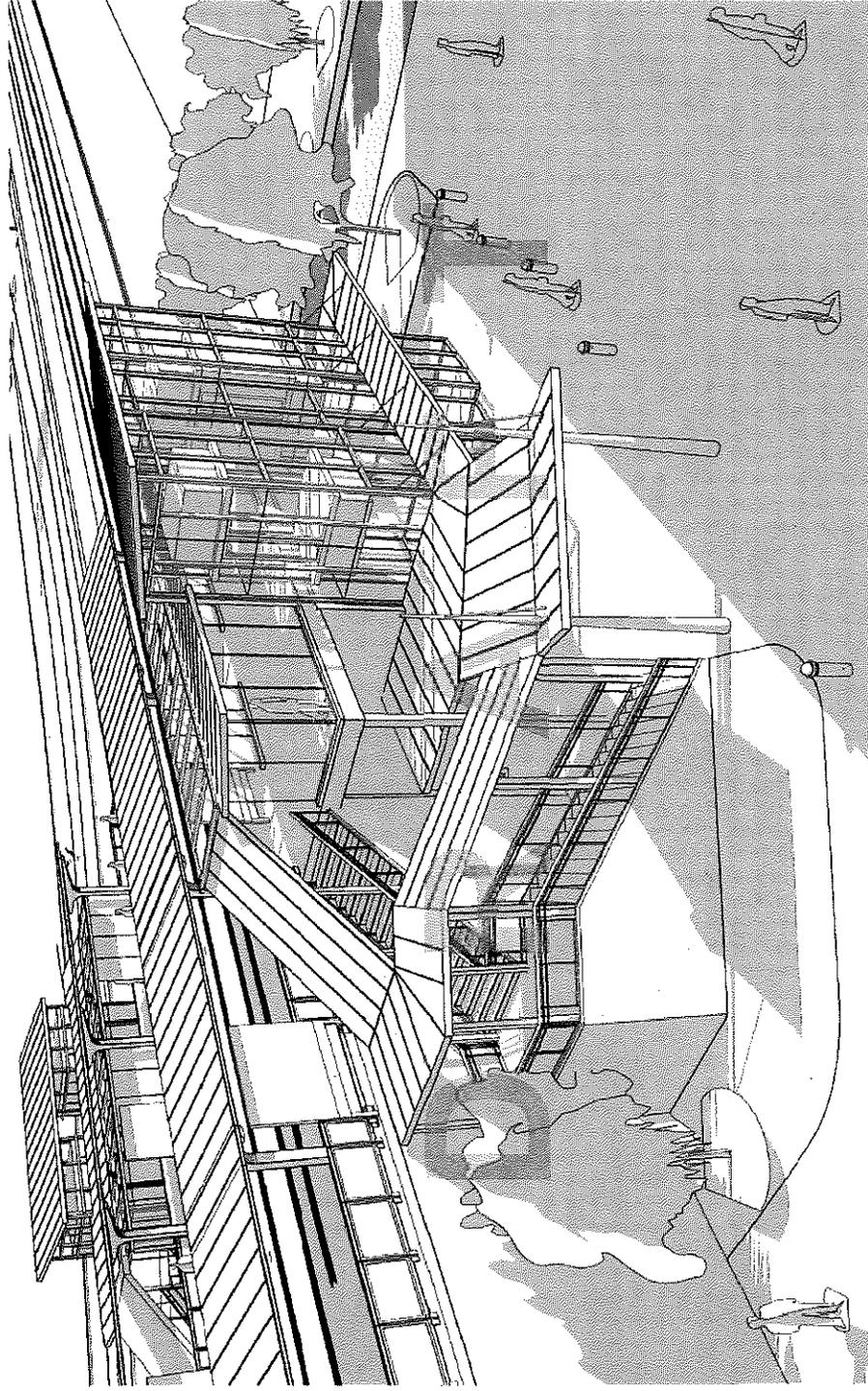
View 3 – East Aerial View at Inbound Entry



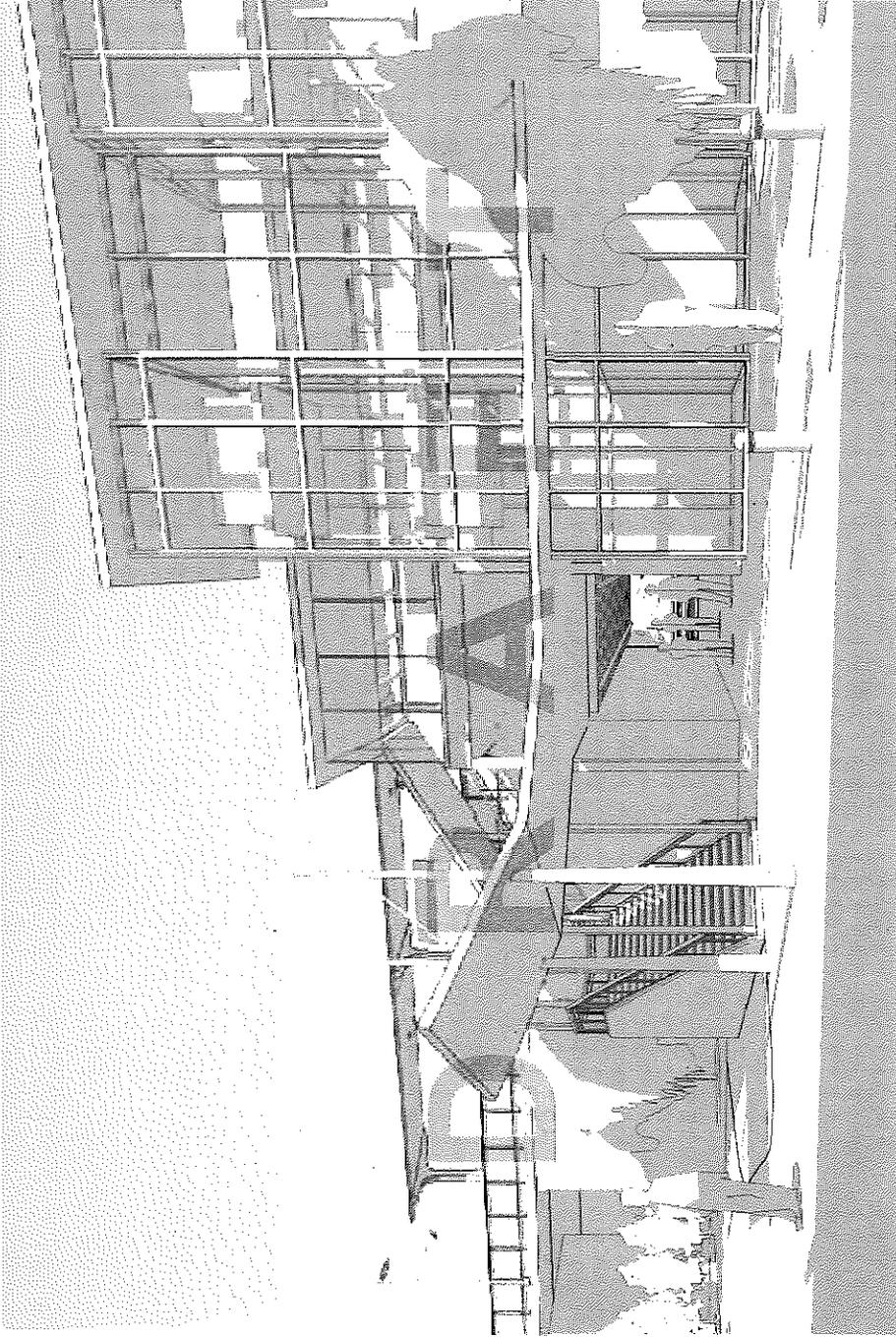
View 4 – West Aerial View at Outbound Entry



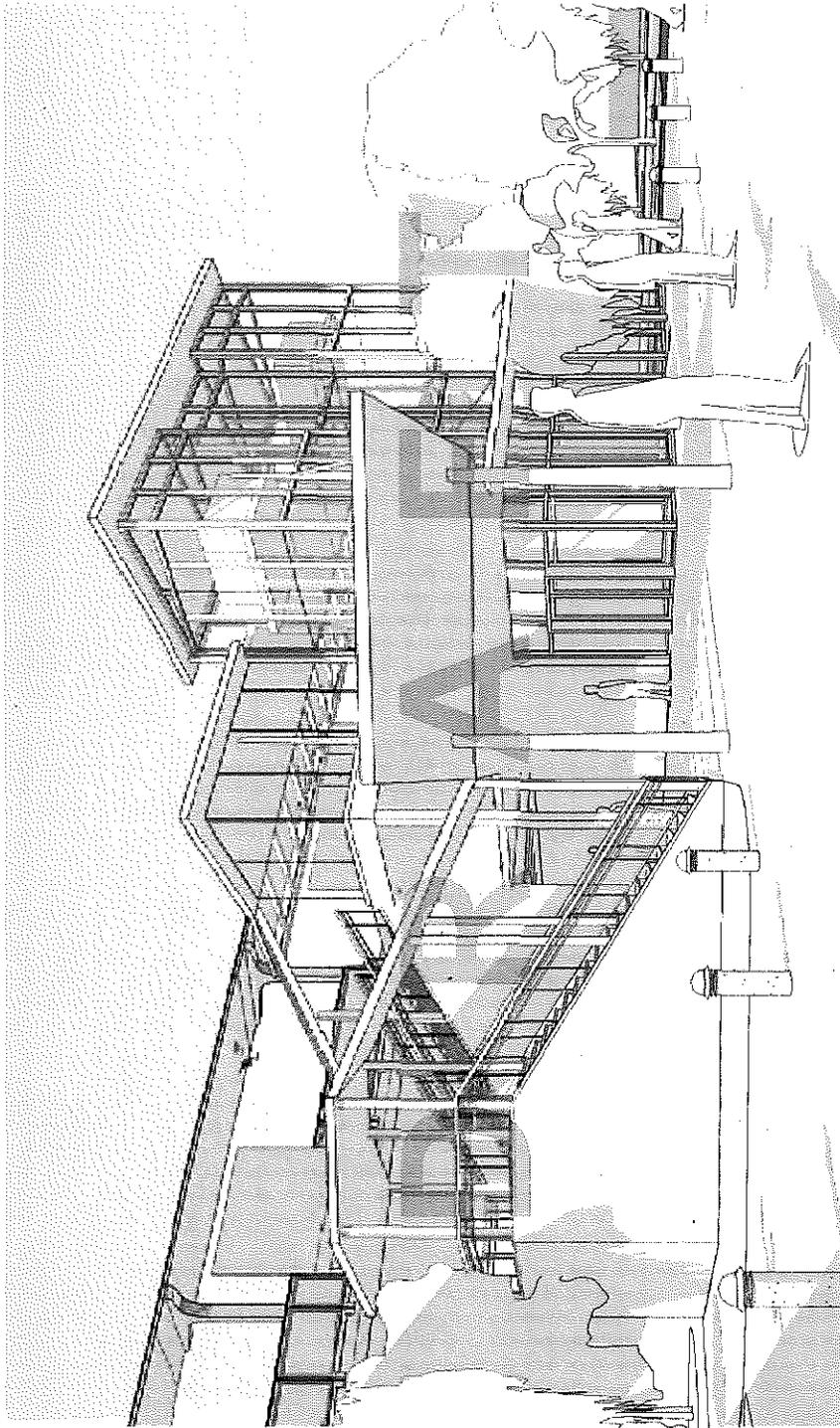
View 5 – South Inbound Entry (at courtyard)



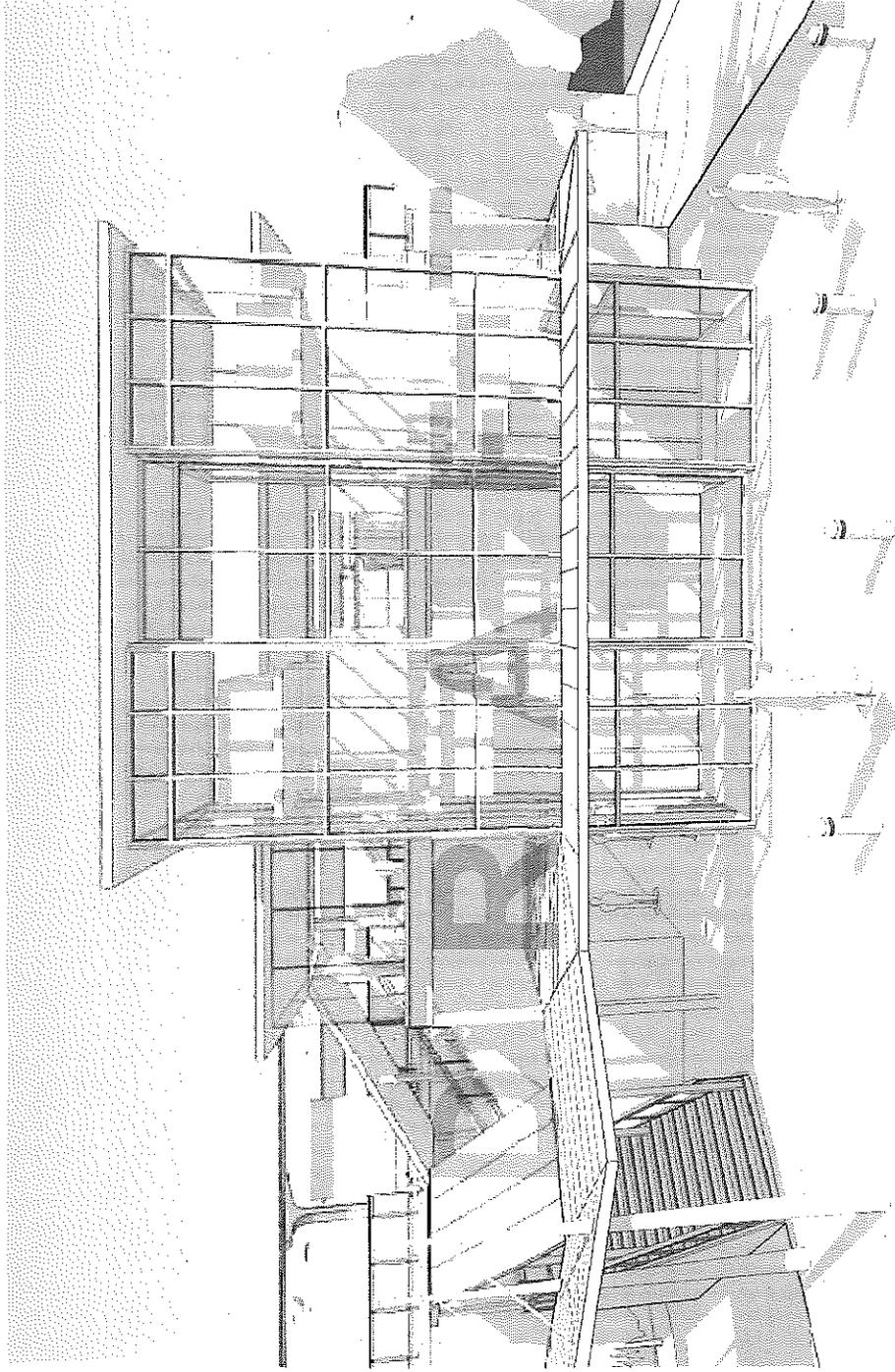
View 6 – South Inbound Entry (at courtyard)



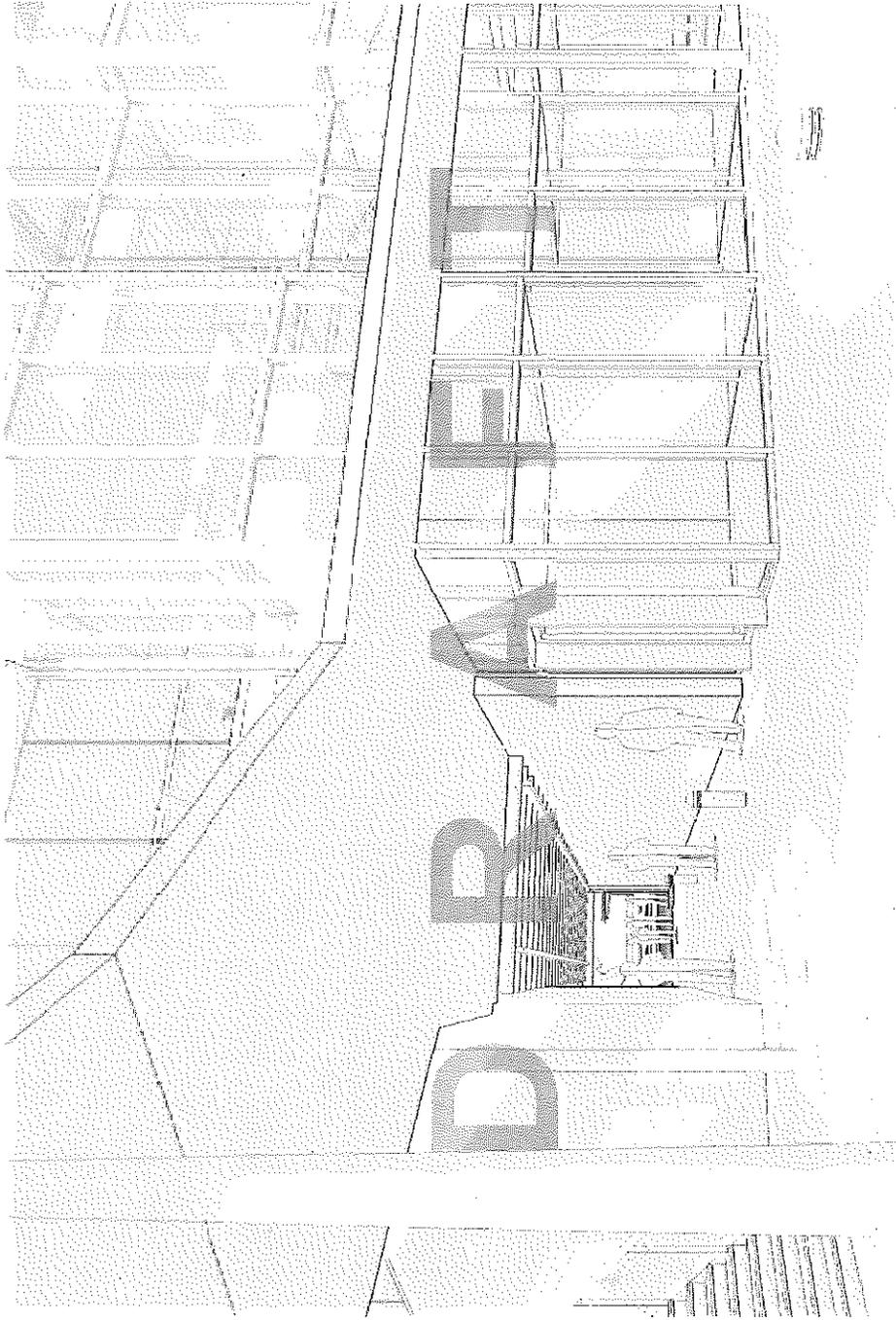
View 7 – South Inbound Entry (at courtyard)



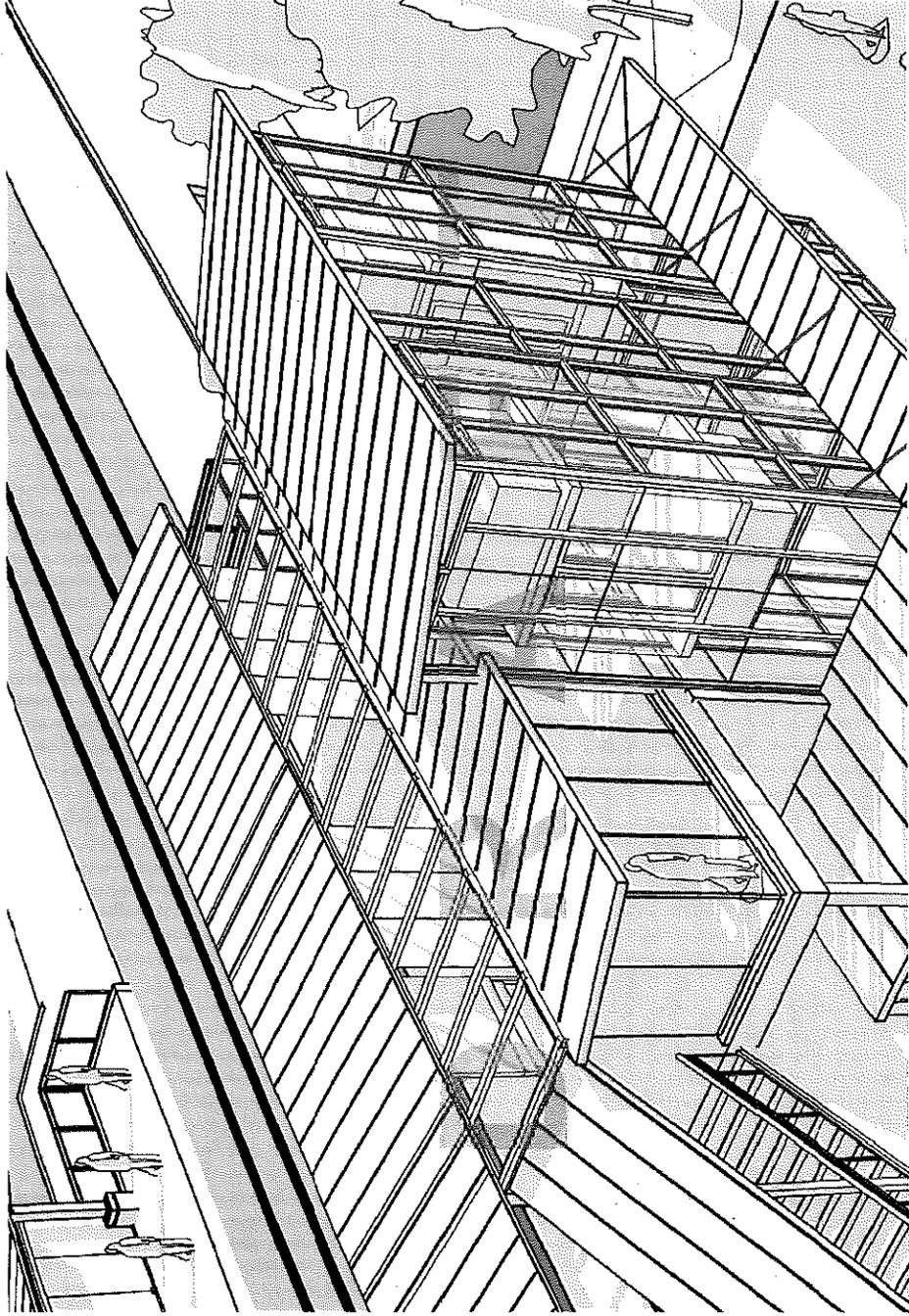
View 8 – South Inbound Entry (at courtyard)



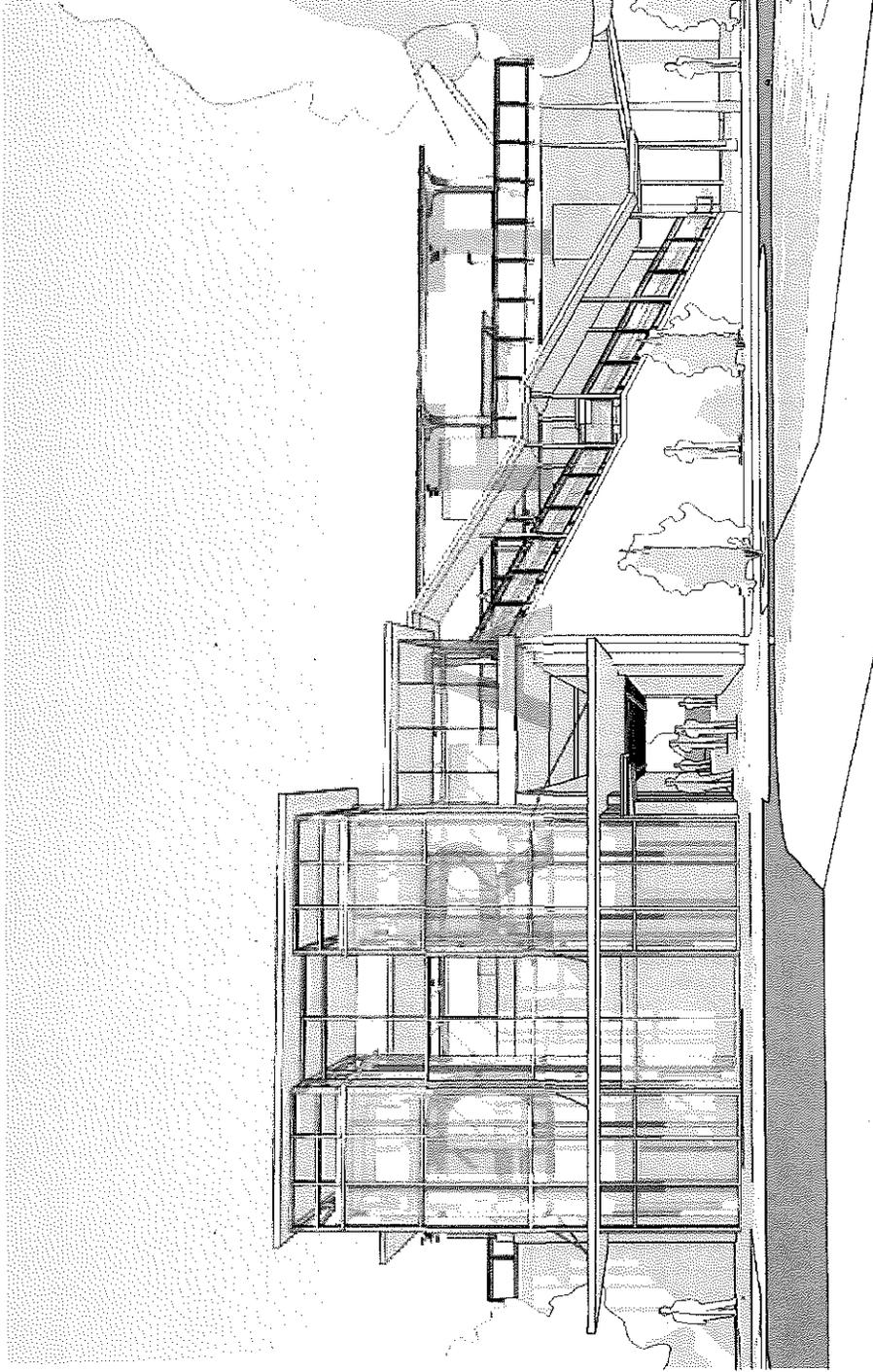
View 9 – South Inbound Entry (at courtyard)



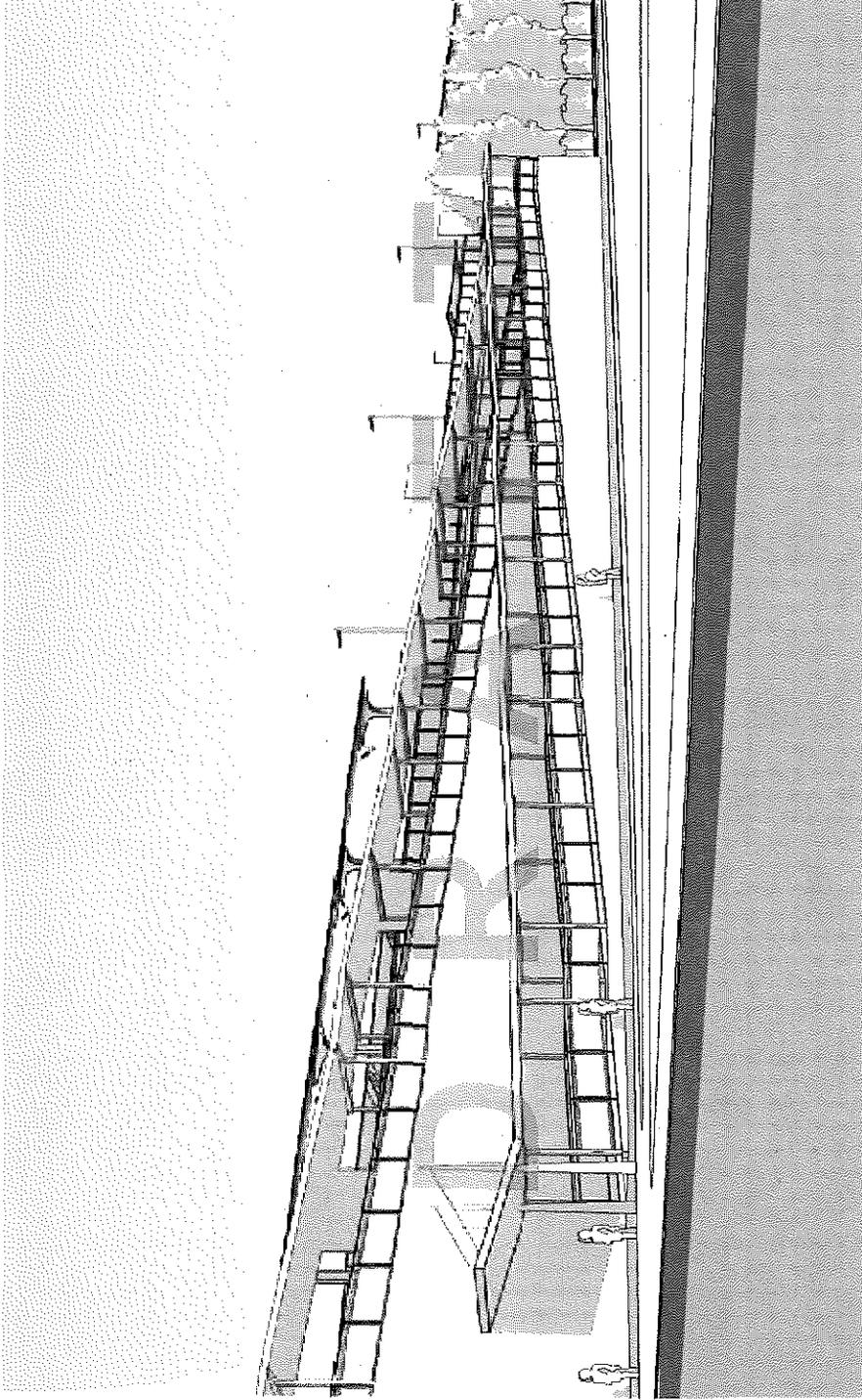
View 10 – South Inbound Entry (at courtyard)



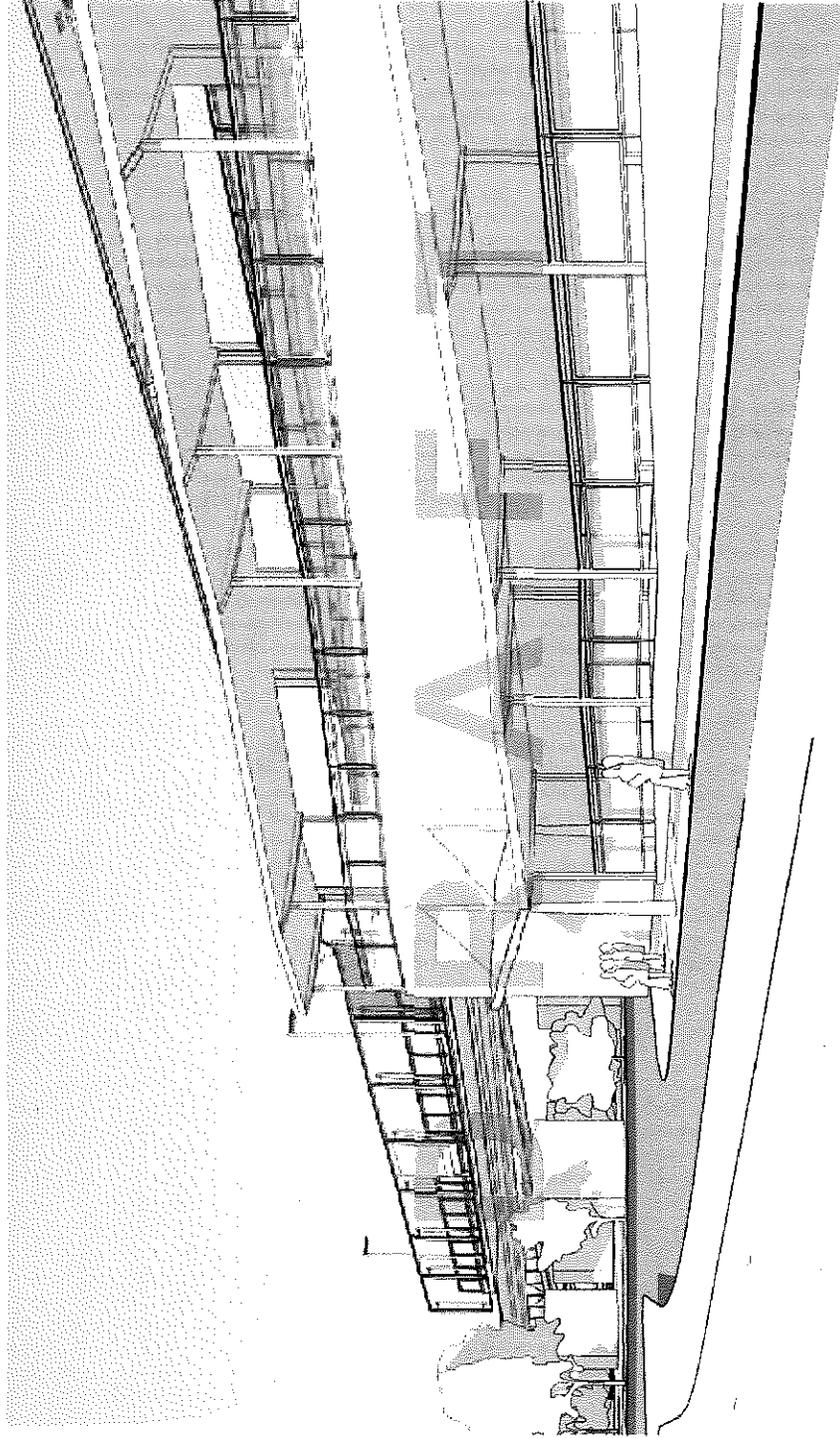
View 11 – Inbound Elevators (at Courtyard)



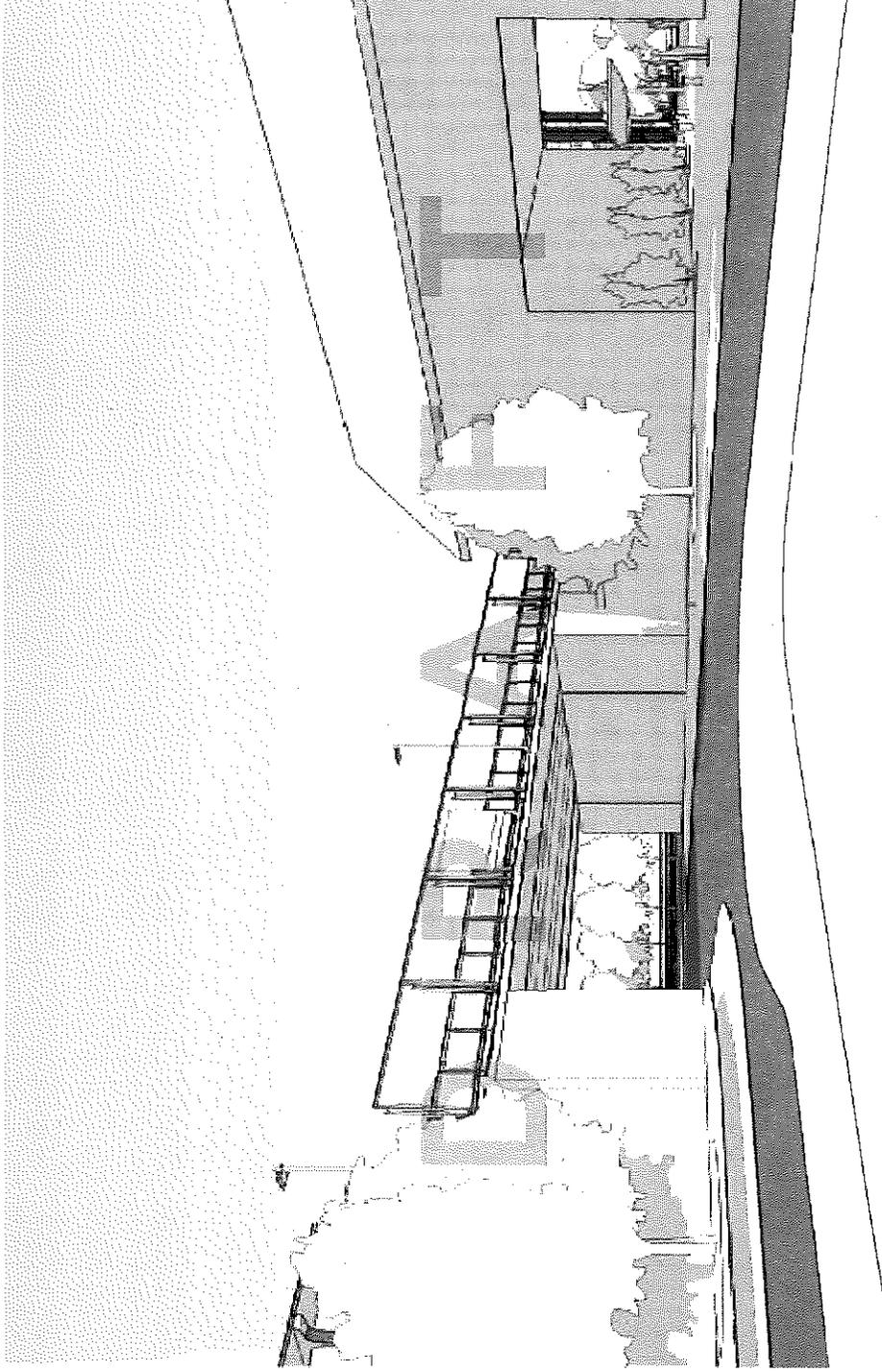
View 12 – South Outbound Elevators (at Aberjona)



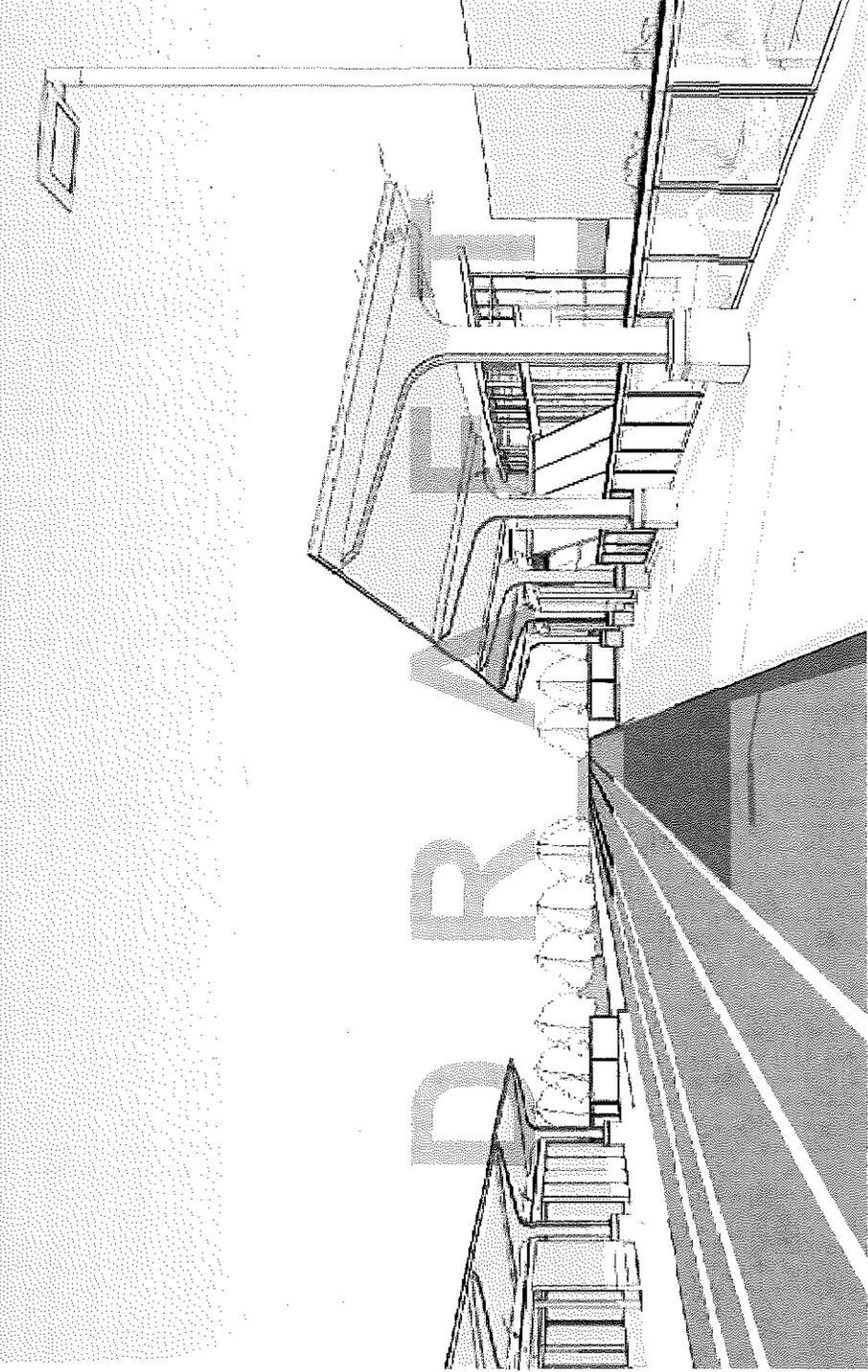
View 13 – North Inbound Entry (at Laraway)



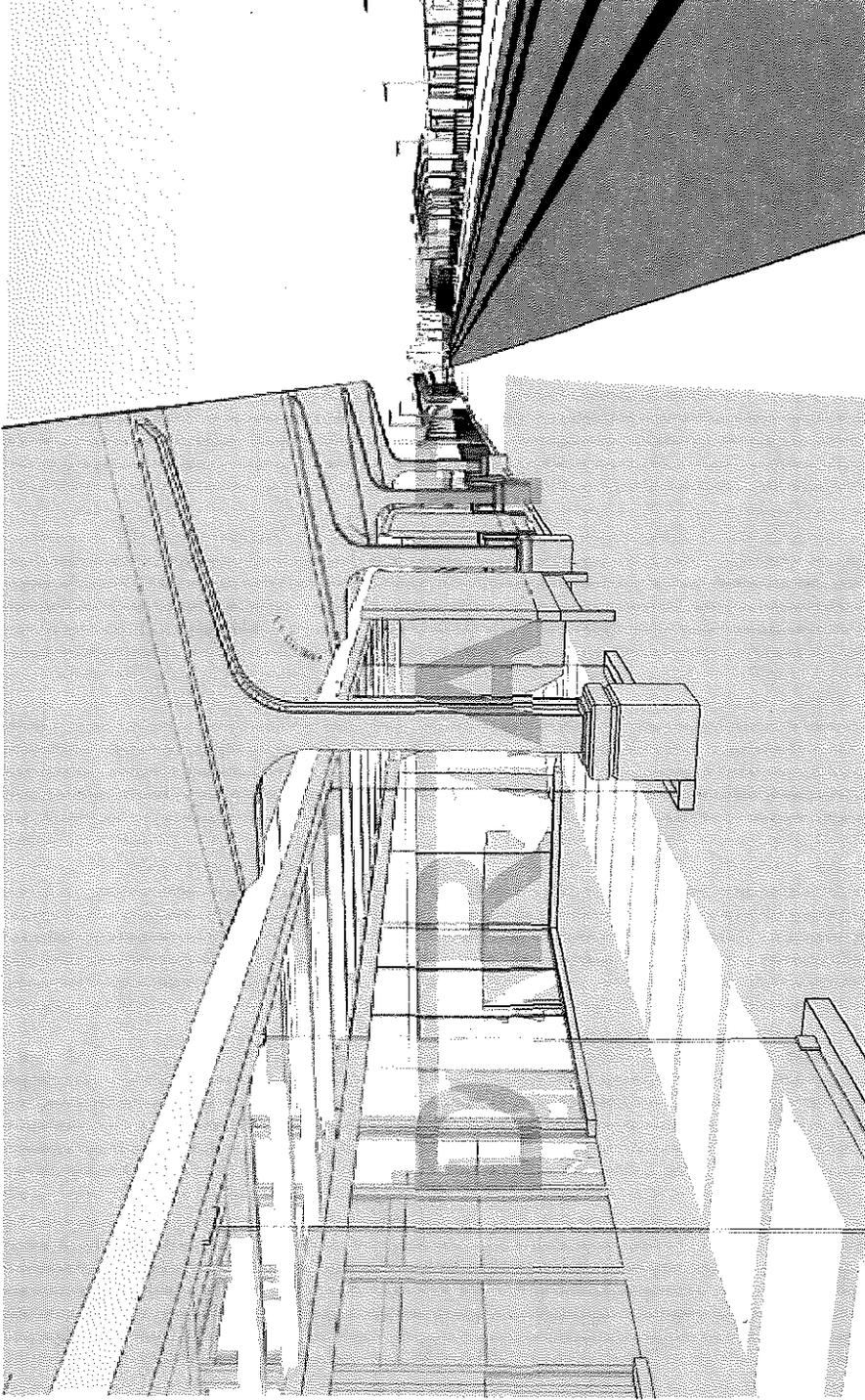
View 14 – North Inbound Entry (at Laraway)



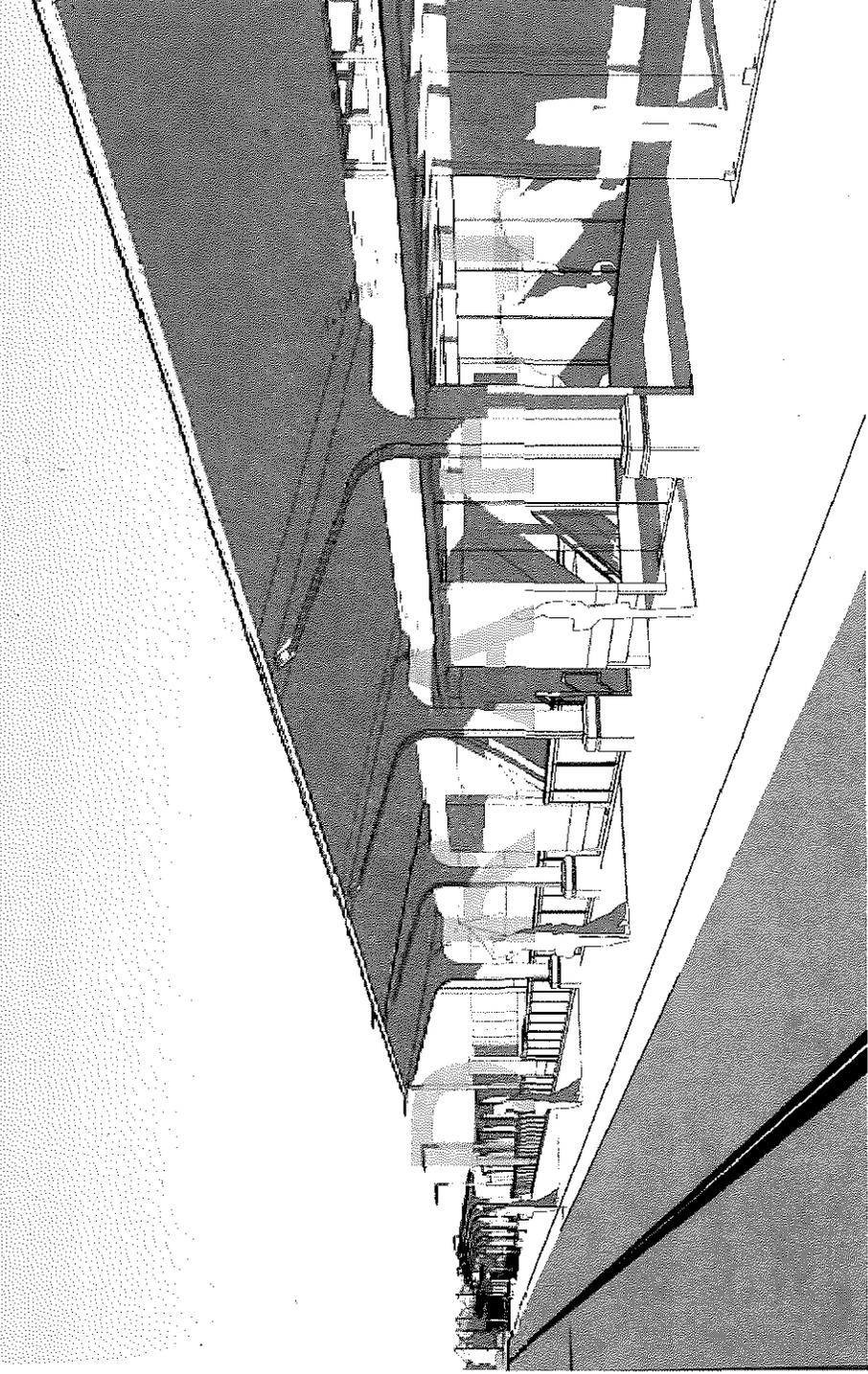
View 15 – Inbound Platform from Waterfield Road Underpass



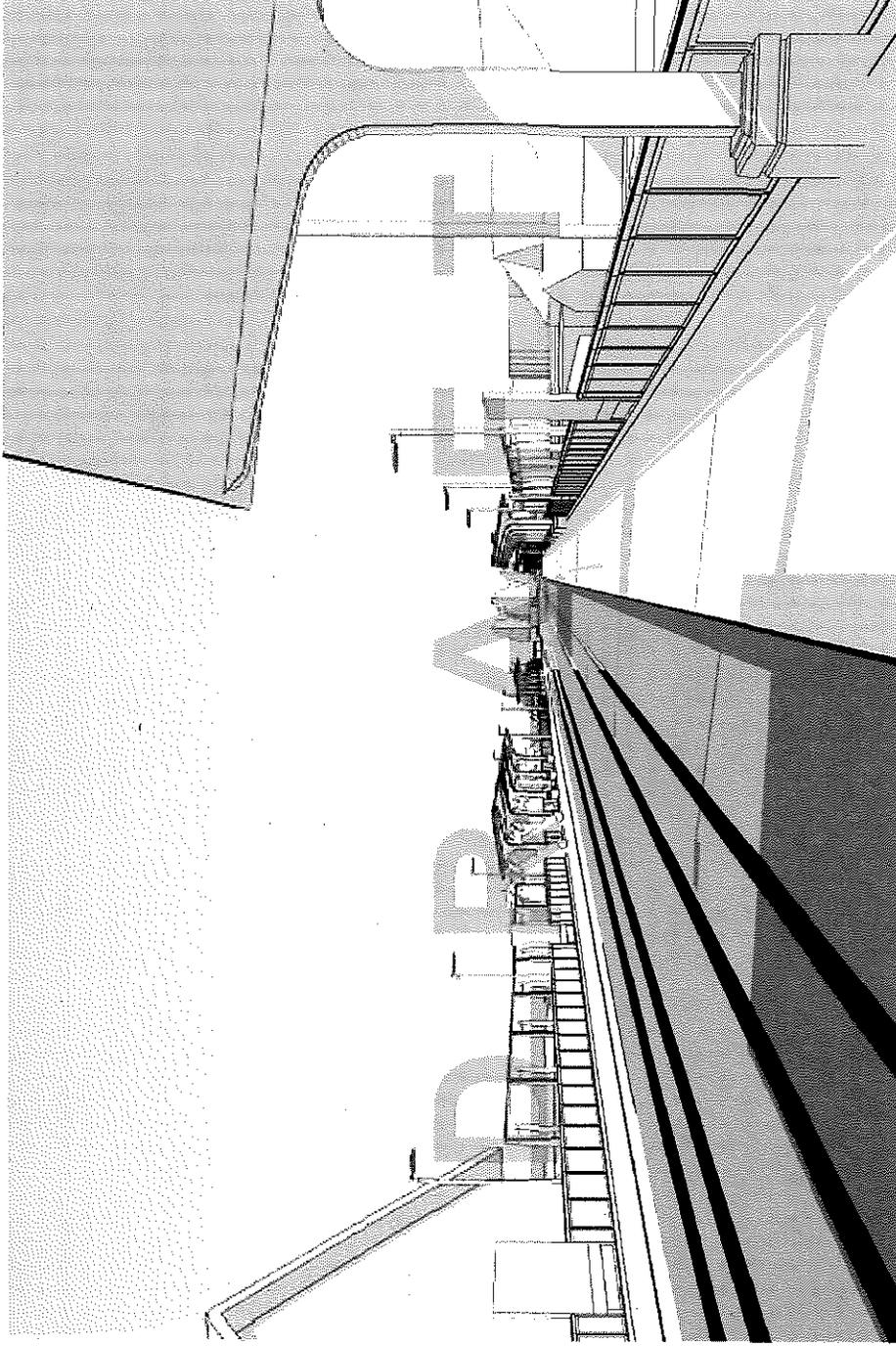
View 16 – South Inbound View at Platform



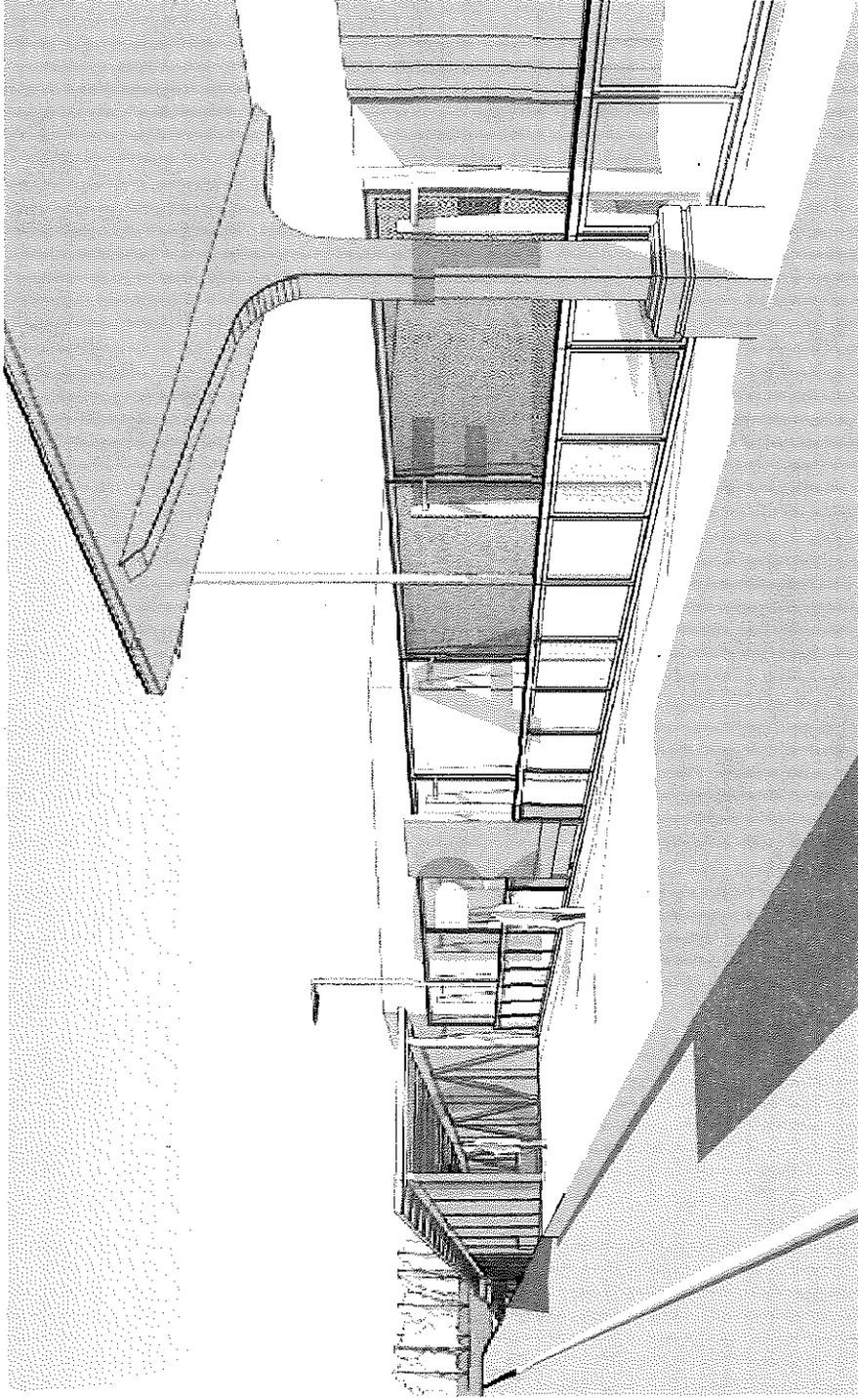
View 17 – North Inbound View at Platform



View 18 – North Outbound View at Platform



View 19 – North Outbound View at Platform



View 20 – Pedestrian Ramp View at Platform

ARTICULATION OF STATION MAIN ENTRANCE:

- Emphasize on the roofs design to resonate with to the architectural language of the canopies
- Design of a wraparound canopy at elevators
- Link the stairs canopy to the elevators canopy and create a welcoming entrance awning
- Incorporate pedestrian tunnel into new design

**INTEGRATION OF WINCHESTER PROPOSED
MASTER PLAN INTO MBTA STATION DESIGN**

MATERIALS, COLORS AND TEXTURES:

- Goals
 - Compliment surrounding context
 - Compliment existing stone wall
- Inspirational images
- Proposed materials, colors, and textures

DRAFT

SELECTION OF NEW MATERIALS, COLORS, AND TEXTURES



Town of Winchester

Richard C. Howard
Town Manager

Docket Item:
B - 10:
September 26, 2016

Town Manager
71 Mt. Vernon Street
Winchester, MA 01890
Phone: 781-721-7133
Fax: 781-756-0505
townmanager@winchester.us

MEMORANDUM

TO: Department Heads
Boards and Committee Chairmen

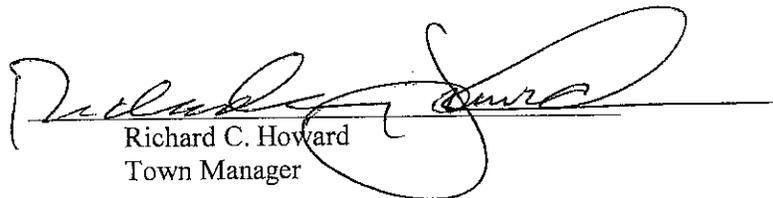
DATE: August 10, 2016

SUBJECT: CORRECTION - Warrant Articles for Fall Town Meeting

The Annual Fall Town Meeting is scheduled for **Thursday, November 10, 2016** due to the Federal election on Tuesday, November 8. The warrant for Town Meeting closes on Monday, September 26, 2016.

Accordingly, please plan to have any potential warrant articles, in warrant article format, submitted to the Selectmen's Office by 7:00 PM on or before September 26, 2016.

Thank you.


Richard C. Howard
Town Manager

/jc

Docket Item:
B-11:
September 26, 2016



Town of Winchester
Department of Public Works
15 Lake Street Winchester, MA 01890

Phone 781-721-7100 Fax 781-721-7119

James M. Gill, Director

Date: September 16, 2016

To: Richard Howard, Town Manager

From: Jay Gill, DPW Director

RE: Food Waste at the Transfer Station

CC: Norman Doucette, LeeAnn McGahan, Steve Swymer,

.....

As you may know, the DPW requested quotes from JRM on recycling of food waste.

We have met with JRM and the Trash Picker Committee on the details, and with your approval, plan to implement the pilot program on October 1, 2016 at the Transfer Station.

In summary, JRM will provide five 64-gallon totes with lids and will pick them up twice weekly. We'll have them weighed before the truck leaves to get an idea of how much is being taken out of the waste stream.

Estimated annual cost for twice weekly pickup is \$3,900.

I've attached an informational flyer from JRM that explains what's acceptable and not acceptable.

Please let us know if you have any questions or concerns. Thank you.



Pilot Food Waste Recycling Program

Effective October 1, 2016, the Winchester Transfer Station will be offering a pilot food waste recycling program to residents who wish to deposit acceptable food waste (Organics) in specially-marked containers at the Transfer Station.

See attached information sheet for what is accepted and what is not accepted by our recycling vendor for composting.

<i>COMPOSTABLE</i>			<i>NOT COMPOSTABLE</i>		
Meat	Eggshells	Seafood	Plastic	Styrofoam	Lids
Bones	Fish	Floral Clippings	Metal	Wrappers (candy, butter, etc.)	
Fruit	Vegetables	Dairy	Liquid	Plastic straws	
Teabags	Coffee Grounds		Plastic coated containers (frozen food boxes, cups, cartons)		
Soiled Paper napkins					

Residents can deposit food waste directly into the Organics containers. Or, if you have a container at home and use compostable/biodegradable bags, you may include the bag as well. Plastic bags are not accepted.

The program is open to all Transfer Station permit holders and requires no special permit or additional cost.

The goals of the food waste pilot program are to quantify the amount of trash tonnage avoided by recycling food waste, and to allow SMART permit holders to further control their own trash disposal costs by recycling even more items.

Town Manager, Richard Howard, stated: “

“I want to thank the members of the ‘Trash pickers’ committee that have worked on this project for the past year now in a continuing effort to lower cost and streamline the disposal procedure at the Town’s Transfer Station,” stated Howard.



the **Organics**[™]
collection

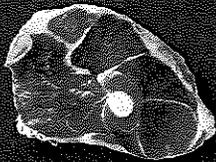
JRM is here to help you comply with the 2014
Massachusetts DEP Organics Waste Ban

COMPOSTING



Compostable

GUIDE SHEET



Meat



Fish



Vegetables



Bones



Dairy



Eggshells



Fruit



Biocompostable
symbol

OTHER COMPOSTABLE PRODUCTS:

Seafood, Floral Clippings, Coffee grounds, Eggshells,
Teabags and Soiled Paper Napkins



Non-Compostable
Items

Plastic, Metal, Liquid, Styrofoam, Lids, Wrappers
(Candy, Butter, Etc.), Plastic Gloves, Plastic
Coated Containers (Frozen Food Boxes, Cups,
Cartons), Plastic Straws, Plastic Strapping, Broken
Plates, Branches

800-323-HAUL



www.JRMhauling.com