

TOWN OF WINCHESTER
BOARD OF SELECTMEN MEETING
Monday, March 7, 2016
Record

Chairman Lance R. Grenzeback called the meeting to order at 7:30 PM in the Board of Selectmen Meeting Room, Town Hall. Present were Vice Chairman James A. Johnson, III, Selectman Stephen L. Powers, Selectman Michael Bettencourt and Selectman E. James Whitehead. Also present were Town Manager Richard C. Howard and Town Counsel Wade M. Welch.

OPENING

Selectmen's Notices and Comments

Referencing the Winchester Train Station renovation project under consideration by the MBTA, Chairman Grenzeback reported that the MBTA has hired a contractor and is now doing soil testing in the area.

Selectman Bettencourt informed his colleagues that on Saturday, March 12th from 7 – 9 PM he will be a part of a fundraiser for Autism Housing Pathways. The event, "Dancing with the Celebrities" is being held at St. Mary's.

Vice Chairman Johnson noted that Sachem Youth Baseball / Softball is requesting an extension of their playing season in order to accommodate both the youth and Winchester High School sports teams. He noted that Winchester High School teams are being relocated to West Side Field. Selectman Powers requested that this topic be an agenda item for the Board's meeting on March 21st.

Selectman Powers referenced the Alcoholic Beverage Control Commission's continuance of the hearing for Winchester Wine and Spirits, pointing out that comments must be provided to the ABCC not later than March 21st. All comments must be in writing. Town Counsel explained that the notice indicated a continuance, however a continuance must be agreed upon by both parties, which in this case it was not as he filed an objection to this untimely request. He informed the Board that he filed a pre-trial notice and when he arrived back in Boston, he heard the hearing was continued over the Town's objection.

TOWN MANAGER REPORT AND COMMENTS

Appointments: Historical Commission: Conservation Commission

Town Manager announced that he had made the following appointment to the Historical Commission in accordance with M.G.L. Chapter 40, Section 8D, for a term to expire March 31, 2018:

Jennifer Adams, 212 Main Street, Winchester

Also, in accordance with M.G.L. Chapter 40, Section 8C, the following appointment has been made to the Conservation Commission with a term to expire March 31, 2017:

Ann M. Storer, 16 Chesterford Road, Winchester

Town Manager offered his thanks to these two individuals for volunteering to serve the community.

Town Manager also announced that in accordance with Section 4-2b of the **Town Charter**, and in accordance with the Rules and Regulations of the Department of Personnel Administration (Civil Service),

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and as permitted by Chapter 708 of the Acts of 1941 as amended, he has made the following permanent full-time appointments in the Fire Department:

Justin Tilley, 12 Greenleaf Circle, Lynn, MA
Firefighter

Matthew Brown, 60 Gates St., South Boston, MA
Firefighter

These individuals are certified paramedics that have been serving the department in a temporary capacity as military replacements since September 2015. They have attended the nine week recruit training program at the Massachusetts Firefighting Academy and are certified as Firefighter I & II. Chief Nash is confident that these individuals have both the desire and ability to serve Winchester in a professional manner.

Eversource Transmission Line Project Update

Town Manager informed the Board that staff continues to work with the experts on both engineering and electromagnetic field, as well as continuing to work with neighboring communities about the transmission line route. Town Counsel has filed with the Siting Board and as more information is available the Board will be updated.

Town Counsel informed the Board that the engineering expert retained by the Town is attempting to obtain EMF readings from similar 345kV lines in Connecticut because there is no line in Massachusetts using similar technology to what is being proposed for Winchester. The experts are making this request directly to Eversource. Town Counsel explained that if Eversource fails to cooperate, the Town will then ask for additional time to obtain the information.

In response to the question concerning to when this information will be available, Town Counsel indicated that the raw data should be available by early April. He noted that he has until early June to put together alternatives.

Town Manager indicated that Eversource has chosen the preferred route with an alternative however the preferred route is also located in Winchester. The expert will try to determine how the rating was done. He also noted that Eversource is continuing the dialogue with Stoneham and through Siting Board efforts, it sounds like a dialogue is opening up alternatives to what is being proposed. He indicated that it is too early to tell whether any headway is being made with the suggested alternatives. Town Manager informed the Board that the Town is talking to Woburn to obtain information to make the case before the Siting Board.

As far as discussion on the 115kV line, Town Manager explained that the focus has been mainly on what has been requested in the form of mitigation. In general, the 115 kV line mirrors the technology already in the ground; there is not the same health threat with the 115 kV line as with the 345 kV line.

Town Counsel noted that there has been a concern raised related to the 115 kV line which was installed back in the 1940's and there is one line that might have sections that are no longer hooked up. Also being considered is the timing of the two lines and whether both will be done at the same time, which effectively would cut off two main access routes through Winchester into Woburn. He noted that the 345 kV line will cause a nightmare for those cutting through Winchester. Town Manager noted that Eversource has indicated that they will consider whether the routes will be constructed concurrently or consecutively.

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Selectman Bettencourt asked if any data had been received from Eversource relative to the formula for scoring. Town Manager explained that this is all a part of what the consultant is digging out. He noted that staff is trying to continue the dialogue with Eversource so that there are not a lot of issues to be litigated, the most critical of which is the 345 kV line that is proposed to run down Cross Street to Washington Street to Montvale Avenue, a route that makes no sense. Selectman Bettencourt asked if moving the 345 kV line to Green Street in Woburn creates the same scheduling issues and was informed by Town Counsel that it does however this route is much less onerous.

Waterfield Parcel RFP

Town Manager reported that staff continues to review the RFP draft document. He noted that the Board is meeting again on March 10th to continue their discussion.

Skillings Culvert

Town Manager reported that field remediation work has been split so that the project manager for the High School will be overseeing the soil remediation work on that portion of the field that is within the High School project limits. The Town has RFP'd the work for the culvert installation/remediation for the remaining portion of the field, and the bids have been returned. Town Manager reported that it looks like the low bidder is qualified and the bid submitted is under the original budget estimate of \$12million. Work should begin in April. The Board was informed that at this time, the projected cost for the work is \$8million in total.

Winchester High School – Open House – March 21st

Town Manager informed the Board that the EFPBC has announced an open house at Winchester High School on Monday afternoon / evening, March 21st. The project is at about 50%-60% completion. For those who are interested, the tour begins at 5:30 PM. Chairman Grenzeback suggested that interested Board members meet at the High School at 5:00 PM.

BUSINESS

EFPBC Joint Reappointment with School Committee – Geethanjali Mathiyalakan PhD

Term to Expire: March 1, 2019; Engineering Slot

Chairman Grenzeback noted that Ms. Mathiyalakan has been serving as a member of the EFPBC for a number of years and is a registered geotechnical engineer currently employed as a Program Manager with the Massachusetts Water Resources Authority.

*Motion: That the Board of Selectmen reappoint Geethanjali Mathiyalakan
to the Educational Facilities Planning and Building Committee contingent
upon the School Committee making the same reappointment, for a term to
expire March 1, 2019.

Johnson – Bettencourt

All in favor.

VOTED.

Water Bill Discussion: Burak Begen, 4 Bigelow Avenue

Burak Begen informed the Board that he and his family are new to Town since December of 2014. He explained that he activated the sprinkler system and had no idea that there was a leak or any type of problem. The first bill that he received from the Town was for \$4800. The Town checked the meter and found nothing wrong. In January 2016, he received a bill for \$7353, and thus his request for one-time relief. Mr. Begen indicated that he is aware that it is his responsibility to make sure that the sprinkler

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system is in good working order, and this is a real wake-up call for him; he will make sure that everything is in order this Spring as he has been able to locate the source of the leak and repair it.

Town Manager informed the Board that he met with Mr. Begen and explained the restrictions on management, i.e., that abatements should not exceed \$2,000. He explained that pushing all water usage into level two results in a \$1600 credit to the account, and if the Board so directs, the bill can be recalculated entirely into tier one.

Vice Chairman Johnson requested a past history of consumption for this address. Town Manager indicated that staff has reviewed the history and it is consistent with the lower amounts. He suggested that if the Board sees fit, staff will recalculate and bill all usage at tier one. Selectman Powers informed his colleagues that he feels there is not enough information available for the Board to make an informed decision this evening, and suggested that the Board discuss this issue again on March 21st.

*Motion: That the Board of Selectmen table the Begen water bill issue
 until the meeting of March 21, 2016.

Johnson – Whitehead

All in favor.

VOTED.

Winning Farm Presentation: Ron Bonvie

Present: Albert Ellis, Attorney Lawrence Murray

Ron Bonvie, owner of South Port on Cape Cod, informed the Board that the over age 55+ housing market is evolving and changing, and there are many developers who claim to be involved in the adult housing industry. He explained that the plan being presented this evening is preliminary, a work in progress. Wetlands set-back will be the same as they are today and the walking trails will be connected. Mr. Bonvie indicated that there are twenty-six duplex and tri-plex units proposed for the site, explaining that people in this demographic are moving laterally. He informed the Board that he feels that his product meets the demographic needs. He did note that the plan proposed shows little over-flow parking, something that needs to be reviewed because people in this demographic are also very social.

Mr. Bonvie informed the Board that he feels that his plan fits into the site very well and he would not recommend the construction of one more unit than the twenty-six he has suggested. All units will have a two-car garage, full basement and first floor master. His hope is to know the expenses going in and what the profit margin will be. He explained that the plan is in its infancy and will morph several times. Mr. Bonvie also proposed a \$1million linkage payment to the Town. The community will be 100% active adult residences with no children of school age. Buildings will be one and two stories in height.

In response to the question relative to what action Spring Town Meeting would need to take, Attorney Lawrence Murray explained that a decision would be needed from the Board of Selectmen relative to the Development and Operating Agreements as well as a rezoning of the property to ARCDOD Zoning. Town Meeting would also be asked to ratify the Board's decision about the Development and Operating Agreements. The proposal submitted by Mr. Bonvie would fit within ARCDOD zoning. Mr. Bonvie indicated that the age portion of the ARCDOD will require some modification. Chairman Grenzeback pointed out that the ARCDOD has a provision that allows for up to twelve units for those age fifty-five and over. Attorney Murray noted that it is the under-laying district that has the elderly restriction; the ARCDOD would be the overlay.

Mr. Bonvie expressed some concern about timing as he is aware that there is a long road ahead. As far as enhancements of the property, Mr. Bonvie indicated that there would be walking trails definitely and more research would be done to determine what other amenities could be added. Albert Ellis, Mr. Bonvie's partner, explained that the setback would be the same.

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As far as the neighborhood history is concerned, Mr. Bonvie offered to meet with the neighbors at a specified location and listen to their problems, issues and concerns. He informed the Board that he will work to satisfy a substantial number of the issues presented to him. He indicated that very rarely are issues with abutters insurmountable. His plan is in its preliminary stages, therefore buildings can be rotated and landscaping added. His belief is that twenty-six homes is the best fit for this property. Mr. Bonvie explained that once he has received input from the abutters he will start developing a building plan, as he would like to be in and out of Winchester in a year's time. Albert Ellis indicated that from ground-breaking to sell-out is approximately a twenty-four month time frame.

Mr. Bonvie explained that construction would be broken into phases and he would like the neighbors to be in favor of his proposal. Vice Chairman Johnson indicated that he would like to see timing and scheduling up front. Chairman Grenzeback indicated that the Board of Selectmen would post a neighborhood meeting at the Vinson-Owen School to provide a general briefing. Mr. Bonvie informed the Board that he is open to having a major dialogue with the community. As far as providing a local preference, Mr. Bonvie indicated that he would sell to Winchester residents first. He further noted that he has sold to Winchester residents at the Mashpee development because Winchester does not have this product. Albert Ellis, Mr. Bonvie's partner, agreed that the target market would be Winchester residents.

Selectman Bettencourt raised the question related to upgrades to the sewer station on Squire Road and whether those upgrades are sufficient. Mr. Bonvie indicated that some research would have to be done but his thought is that there were pumping station upgrades paid for by Mr. Salter. Attorney Murray informed the Board that Mr. Salter paid a mitigation fee because the size of the project had been decreased. This proposal is for twenty-six units so the dynamic should be less.

Mr. Bonvie indicated that his goal is to get to Spring Town Meeting because of his concern about the marketplace, and he will do whatever it takes to move forward because if he misses this building cycle, the property could sit for an additional six to ten years. Chairman Grenzeback suggested that placeholder articles could be prepared for the Spring 2016 Annual Town Meeting Warrant. He also suggested neighborhood meetings to discuss the project layout for conformance with the Conservation Commission regulations. Vice Chairman Johnson suggested that this be made the last order of business for Town Meeting's consideration. Because Mr. Bonvie has had experience with an open town meeting form of government, Chairman Grenzeback explained the nuances of the representative town meeting. He noted that Mr. Bonvie would like to move quickly, therefore it is critical that the neighbors be informed as the Town Meeting will have to vote to rescind the old agreements and zoning.

Center Business District Parking

Town Manager referenced a map that shows all of the Town Center Business District parking regulations, noting that the question has now been asked as to whether there should be accommodation for the Town Center resident constituency. He suggested that the Board consider where things could be going considering the changes to the Town Center bylaw which would mean between 100 and 200 residential units for the community, many of which would not have access to on-site parking. He suggested that the Board make twenty-five permits available at no charge to these individuals. This would make residents aware of the availability in a cautious manner. Town Manager informed the Board that Town Center employee permits are not utilized by every employee every day and twenty-five more permits will not over-burden the equation. He indicated that he is thinking ahead to the 200 units that may come on line necessitating that the Board take a look at all of the constituencies that are currently being accommodated.

Vice Chairman Johnson suggested that if there is a new development there should be a plan to address the parking issue. He indicated that he likes this idea in the short term however and suggested that

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proof of residency be required for anyone seeking a 'residential' parking permit. Permits should be limited to one permit per residential unit, and not available to anyone whose housing unit has available parking. He raised the question of whether parking spaces would be guaranteed annually or drawn by lottery. Town Manager indicated that much will depend upon demand.

Vice Chairman Johnson informed his colleagues that he also likes the idea of an administrative fee for each permit that is issued.

Town Manager reported that the signage has now been changed at the Waterfield Lot for the early-bird users.

VOTE to Approve and Sign the Annual Town Election Warrant – Tuesday, March 29, 2016

*Motion: That the Board of Selectmen approve and sign the Annual Town Election Warrant for Tuesday, March 29, 2016.
Johnson – Powers All in favor. VOTED.

CONSENT AGENDA

One Day Alcoholic Beverage Licenses:

**Beverage Events – Wright Locke Farm – Saturday, May 7, 2016 – Kentucky Derby Party;
Frances Jakubek for Griffin Museum – Thursday March 10, 2016 – Opening Reception;
Mary Marra for Giangrande Family Scholarship Fund – St. Mary's Parish Hall –
Sunday, April 10, 2016;**

Tom Seigny for Winchester Historical Society – Saturday, March 19, 2016 – Sanborn House

Public Amusement License:

EnKa Fair – Friday, May 20, Saturday, May 21, 2016;

Parade Permit:

EnKa Parade – Saturday, May 21, 2016 along route indicated

Approve / Correct Meeting Minutes:

Monday, March 7, 2016;

Monday, February 22, 2016;

Wednesday, February 10, 2016;

Approval for use of Town Common:

**Winchester Home and Garden Club – Plant Sale – Saturday, May 7, 2016
11:00 AM – 2:00 PM;**

WFEE Sponsored Town Day Road Race:

Saturday, June 4, 2016

Acceptance of Donation:

**\$19,774.51 for the Winchester Reads Program from the
Friends of the Library**

*Motion: That the Board of Selectmen approve the Consent Agenda for Monday, March 7, 2016 that includes One Day Alcoholic Beverage Licenses for Saturday, May 7th at Wright Locke Farm; Thursday, March 10th for the Griffin Museum, Sunday, April 10th at St. Mary's Parish Hall, and Saturday, March 19th at the Sanborn House; a Public Amusement License for the EnKa Fair on Friday, May 20th and Saturday, May 21st; the EnKa Parade Permit for Saturday, May 21, 2016 along the route indicated; approval of Meeting Minutes for Monday, March 7, 2016 Monday, February 22, 2016 and Wednesday, February 10, 2016; the Home and Garden Club's use of the Town Common for a plant sale on Saturday, May 7th from 11 AM to 2 PM; the WFEE sponsored Town Day Road

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Race on Saturday, June 4th and acceptance of a donation in
the amount of \$19,774.51 for the Winchester Reads Program from the
Friends of the Library.

Johnson – Bettencourt

All in favor.

VOTED.

COMMUNICATIONS AND WORKING GROUP REPORTS

1. Winchester Planning Board – Notice of Public Hearing – Tuesday, March 15, 2016
2. Comm. of Mass. ABCC – Notice of Appeal Hearing – Katama Spirits Group Inc., d/b/a Winchester Wine and Spirits
3. Lynne Norton, George Road re: 345kV Transmission Line Woburn to Wakefield
4. Zhaofang Wang re: 345kV Transmission Line Woburn to Wakefield
5. Deborah Kostas, 25 Adams Road re: Eversource Transmission Line
6. Educational Facilities Planning and Building committee Meeting Minutes for January 20, 2016
7. Exeter Environmental Associates, Inc. – Public Notification of Release of #2 Fuel Oil
8. Nancy Fleming, Realtor re: Eversource Project
9. Mimi Long re: EMF and other information
10. Letter to Board of Selectmen w/petition attached re: Eversource 345kV Transmission Line
11. Ledges Committee: Position Statement re: Winchester North and Sanitary Sewage Overflows (SSO's)

Adjournment – 9:25 PM

*Motion: That the Board of Selectmen adjourn for the evening.

Whitehead – Bettencourt

By Roll Call Vote: Whitehead, Bettencourt, Powers, Johnson, Grenzeback VOTED.

Respectfully submitted,

Richard C. Howard, Town Manager