

**TOWN OF NORTHBRIDGE
BOARD OF SELECTMEN'S MEETING
NORTHBRIDGE TOWN HALL
7 MAIN STREET - WHITINSVILLE, MA 01588
October 15, 2018 at 7:00 PM**

PLEDGE OF ALLEGIANCE

I. **APPROVAL OF MINUTES:** A. 1) September 24, 2018 2) October 1, 2018

II. **PUBLIC HEARING**

III. **APPOINTMENTS/Resignations**

IV. **CITIZENS' COMMENTS/INPUT**

V. **DECISIONS:**

B. Purgatory Beer Company, 670 Linwood Ave. Bldg. C, 111A, Whitinsville/Request to change hours from 7 days a week from 10 AM to 10 PM to 7 days a week from 10 AM to 11 PM [**Present:** Brian Distefano]

C. Fall Annual Town Meeting Warrant: Vote position on Articles 8, 9, 11, and 13.

VI. **DISCUSSIONS:**

D. Fall Town Meeting Article Presentations/**Present:** a) Article 8 – Michael Hunnewell, b) Article 9 – Tom Wickstrom, c) Article 11 – Henry Lane, d) Article 13 – Rob Knapik/Sean Sawyer, Pawsteps

VII. **TOWN MANAGER'S REPORT**

VIII. **SELECTMEN'S CONCERNS**

IX. **ITEMS FOR FUTURE AGENDA**

X. **CORRESPONDENCE**

XI. **EXECUTIVE SESSION**

Town Clerk: 2 Hard copies	<input type="checkbox"/>
Web: Post time-stamped copy	<input type="checkbox"/>

BOARD OF SELECTMEN'S MEETING September 24, 2018

A meeting of the Board of Selectmen was called to order by Chairman Thomas Melia at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Present:** Board members – Ampagoomian, Athanas, Cannon, Melia and Nolan. Town Manager, Adam D. Gaudette was absent and it is duly noted.

The Pledge of Allegiance was recited by those present.

Chairman Melia read aloud a notice about Ringing of the Bells.

APPROVAL OF MINUTES: August 20, 2018. A motion/Mr. Athanas, seconded/Mr. Nolan to approve the August 20, 2018 minutes as presented with the reading omitted. Vote yes/Unanimous.

PUBLIC HEARING: None

APPOINTMENTS/By the Town Manager: Olivia Mathieu, Outreach Worker [Senior Center] /Present: Kelly Bol, Senior Center Director. Ms. Bol introduced Ms. Mathieu to the Board, stating that she has over six years in experience in working with seniors and working with the elderly population. Ms. Bol stated her extensive background will fit perfectly for the outreach position. Ms. Mathieu stated she was very excited for this opportunity. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to affirm the appointment of Olivia Mathieu as Outreach Worker at the Senior Center. Vote yes/Unanimous.

CITIZENS' COMMENTS/INPUT: 1) Joseph Strazulla, 170 Rebecca Road stated he has been approached by residents asking how they could help with the School Building Committee Project, and he suggested those individuals attend the Finance Committee Meetings, and Selectmen's meetings to comment on the importance of the project. Mr. Strazulla stated he hopes that the Board will vote the School Building Committee project unanimously. **2)** Jill Reading of 1791 Providence Road stated she is a first-grade teacher at Northbridge Elementary School and is also a parent of two children in the Middle School. Ms. Reading stated that she attended Northbridge Elementary School as the first second grade class and has been teaching for twenty-five years. Ms. Reading stated she feels as though it is time that the citizens, Selectmen, Finance Committee and School Committee come together to build this new school. Ms. Reading expressed that it is not about having a state of the art school, but more importantly having handicap accessibility and a school that is up to code and a safe environment for the students. **3)** Robert Dziekiewicz Jr., of Northbridge, currently has three children and one currently at Balmer. Mr. Dziekiewicz Jr. stated that he and his wife felt as though they needed to help out, and they formed an action committee. The action committee is called The Residents for Stronger Northbridge. Mr. Dziekiewicz Jr. stated that their goal is to educate the residents of Northbridge and stress the importance of passage of this debt exclusion to build a new school. Mr. Dziekiewicz Jr. stated their most recent action has been going door to door to educate the residents of Northbridge. Mr. Dziekiewicz Jr. stated that Northbridge has one of the lowest tax rates around, and stated the infrastructure is crumbling and the tax rate proves that. Mr. Dziekiewicz Jr. continued that if the debt exclusion is approved, the children will have a new school that they need. Mr. Dziekiewicz Jr. added that the tax rate will still be the lowest in the area. **4)** Spencer Pollock of 328 Rebecca Road, stressed that the Balmer is past its life expectancy, has a lack of space, the bathrooms are in disrepair, lack of storage, leaking roofs, etc. Mr. Pollock stated that seeing the school in this state raised concern. Mr. Pollock stated that the feasibility study that was conducted, concluded a preferred option that he feels will cover the issues. Mr. Pollock stressed the lowest tax rate and stated if nothing is done and repairs would cost fifty-three million dollars. **5)** Sharyn Tritone of 68 Nicole Avenue stated she has been part of the action group going door to door discussing the project with residents. Ms. Tritone explained she encountered one resident who was on the fence about how to vote for the new school and after discussing with the topic with the resident, they concluded either way Northbridge is going to pay for it now or down the road. Ms. Tritone stated that she

hopes that the Board votes unanimously, as it is good for the children, the community and the Town as a whole. **6)** Beth Tubbs of 244 Brookway Drive stated that she has four children, all of which are in the Northbridge School system, and explained that she is employed by the International Code Council, who publishes the building code used in the United States. Ms. Tubbs stated that it would be nice to see a building with full sprinkler systems and modern fire alarm systems. Ms. Tubbs expressed concern for the idea of repairing as opposed to building new, and with the repairs the buildings would be occupied, the need to choose which projects are the most important and should be completed first, and stated that existing buildings are more complicated to fix than building it new. **7)** Amy Thibodeau of 134 Shannon Drive stated she believes that children deserve a better school. Ms. Thibodeau believes that the Town should build the new school and help the children and community. **8)** Dan O'Neil of 81 Heritage Drive stated that he attended the sixth grade at the Blamer School in the second year it had opened. Mr. O'Neil stated that the Town should go for the School Building Project. Mr. O'Neil explained that if the schools are repaired it is going to cost the same amount as to build new. **8)** Jeff Lundquist of 20 Hastings Drive stated that he is a member of the School Building Committee and has two children who attend Northbridge Schools. Mr. Lundquist explained that throughout his career he has been a part of nearly two billion dollars' worth of school construction in all different types of communities. Mr. Lundquist explained that he has seen a common theme within the projects, which has been the commitment from Town leadership. Mr. Lundquist requested the Boards vocal and unanimous support. Mr. Lundquist expressed that this is the chance to solve the educational space issue for grades PK through 5 and believes we should take advantage of that. **9)** Tiffany Perreault of 229 Hillcrest Road backed up the previous residents in hopes that the Board will vote unanimously to support this article. Ms. Perreault expressed concern for the safety of the students in the Balmer School. Chairman Melia announced that the Board of Selectmen will be voting for the approval/disapproval of all articles on the Fall Annual Town Meeting Warrant at the October 1st meeting and October 15th meeting.

Northbridge High School DECA/Request to hold a boot drive at Memorial Square and Ovia Square on Saturday, April 6, 2019 from 9 AM to 1 PM [Rain date: Saturday, April 13, 2019]; subject to the safety requirements of the Northbridge Police Department. A motion/Mr. Nolan, seconded/Mr. Ampagoomian to approve the boot drive at Memorial Square and Ovia Square on Saturday, April 6, 2019 from 9 AM to 1 PM with a rain date of Saturday, April 13, 2019. Vote yes/Unanimous.

Northbridge Association of Churches/Request to hold their 44th annual Blackstone Valley Crop Walk on Saturday, October 20, 2018 at 8:30 AM. A motion/Mr. Ampagoomian, seconded/Ms. Cannon to approve the request to hold the 44th annual Blackstone Valley Crop Walk on Saturday, October 20, 2018 at 8:30 AM. Vote yes/Unanimous.

Pine Grove Cemetery Deed/Gloria Ahmadjian [Lot No. 189, Woodlawn Ave.]. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to approve the sale of lot 189, Woonlawn Ave. in Pine Grove Cemetery to Gloria Ahmadjian. Vote yes/Unanimous.

Water Bill Dispute – 373 Lincoln Circle/Present: Property Owner David Medeiros, Treasurer/Collector Julie Harris, & Whitinsville Water Company General Manager Randy Swigor. Property Owner David Medeiros was not present. Chairman Melia explained that Mr. Medeiros and Town Manager Gaudette had discussed a compromise over the phone, which is when Mr. Medeiros requested a hearing in front of the Water Commissioners. Chairman Melia announced that since Mr. Medeiros is not present there is nothing to be placed into evidence. Chairman Melia declared that the response the Town has already given him will remain in effect. Chairman Melia announced that the second issue of water tampering will be discussed at another time. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to adhere to the Town Manager's recommendation to resolve the issue with the water dispute at 373 Lincoln Circle, Property Owner David Medeiros. Vote yes/Unanimous.

DPW: Materials for Installation of Guard Rails and Fencing along Town Ponds/Present: James Shuris, Department of Public Works Director & Jamie Luchini, Highway Superintendent. This is part of a capital project that was voted on at Town meeting for the Selectmen to replace fencing along arcade Pond and Electric Pond. Mr. Shuris explained that certain locations require certain fencing or guardrail. Mr. Shuris explained that more particularly Electric Pond, where there is an existing chain link fence and the posts are drilled into the granite. Mr. Shuris explained that Arcade Pond has a chain link fence, but a guardrail system can be put in there. Mr. Luchini stated that he received estimates on the different locations with different options for each location. Selectman Melia stated that to stay within the budget that was voted on at the Spring Annual Town Meeting would be to put a chain link fence for one location and a steel guardrail for the second location. Mr. Luchini stated that was correct. Chairman Melia asked Mr. Luchini what his suggestion is for each location. Mr. Luchini explained that the installers advised that if a guardrail system was installed at electric pond the cost would increase due to the granite that would need to be drilled into. Mr. Luchini advised that he was recommended to stick to chain link for the Electric Pond location. Mr. Luchini stated that any of the materials would work at the Arcade Pond location, further stating that he would caution against wood guardrail with the higher depend for wood upkeep and the wood rotting. Mr. Luchini stated that the steel guardrail would last long and is easy to repair, and the Corten would be a rustic looking guardrail if the Board wishes to go that route. Mr. Luchini suggested sticking with the chain link fence at Electric Pond, and whatever the Board feels is best suited for Arcade Pond. Selectman Athanas verified that the lifespan of the wood fencing is less than the other options. Mr. Luchini confirmed that was correct. Selectman Athanas asked if the budget covers putting in a chain link fence at Electric Pond and the guardrail at Arcade Pond. Mr. Luchini stated that it would be a little over budget, and the Highway Department would cover the remaining amount, and explained that this will still need to go out to bid, and what was received is only an estimate. Selectman Melia asked how cleanup of the area would be arranged. Mr. Luchini stated the removal of the existing fence and the clear out of brush is part of the estimate with assistance of the Highway Department if needed. Chairman Melia asked what the estimated time for completion would be. Mr. Luchini stated that it should be completed within two months. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to replace the chain link fence at Electric pond and install a steel beam guardrail at Arcade Pond. Vote yes/Unanimous.

State Election [Tuesday, November 6, 2018]/Vote to sign Warrant. A vote/Mr. Ampagoomian, seconded/Mr. Nolan to vote to sign the State Election Warrant on Tuesday, November 6, 2018. Vote yes/Unanimous.

Fall Annual Town Meeting Warrant: Vote to remove A. (Prior Year Bills), B. (Sewer Enterprise Fund Appropriations), and C. (Transfer to Stabilization). Chairman Melia stated that there is no longer a need for these articles to be on the warrant as no information has come up and explained that these are regular housekeeping articles. A motion/Mr. Athanas, seconded/Ms. Cannon to remove the following articles: A. (Prior Year Bills), B. (Sewer Enterprise Fund Appropriations), and C. (Transfer to Stabilization). Vote yes/Unanimous.

Town Manager's Goals. Chairman Melia stated that he has received goals from the Selectmen for the Town Manager, and he has reviewed this information with the Town Manager. Chairman Melia read aloud the four topics they choose and what he will be measured on. 1) Budget Preparation for 2020: Capital Improvements planning and budgeting, Health Care Benefits and Liabilities (OPEB, Pension, other), School Department Funding, Free Cash and Stabilization, seek out and apply for Grants and other sources of revenue to supplement appropriations, continue to utilize fiscal discipline, identify areas of savings, and promote transparency. 2) Fire Station Building Project: Oversee the Fire Station Feasibility Study process, working with the Building, Planning, and Construction Committee and the Owner's Project Manager on required tasks and communicate project outcomes to the Board of Selectmen. 3) Roadway Infrastructure Planning, Design and Construction: Coordinate application preparation for eventual grant funding for road network infrastructure improvements under the following programs: Chapter 90, Accelerated Bridge

Program, Complete Streets, Transportation Improvement Program, Municipal Vulnerability Preparation and Hazard Mitigation. 4) Financial Management Enhancements: Recommendations and strategies include the following: Secure Outstanding Receivables, Prepare for OMS's Uniform Guidance Requirements over Procurement, develop a More Formal Risk Assessment Process, Adopt Formal Policies and Procedures, Adopt Formal Policies and Procedures over Federal Awards, Revise Previously Adopted Financial Policies, Revisit Pension Liability and OPEB Payment Strategies. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to accept the Town Manager's goals as presented from September 24, 2018 through August 27, 2019. Vote yes/Unanimous.

TOWN MANAGER'S REPORT/None

SELECTMEN'S CONCERNS: Selectwomen Cannon 1) noted that she attended the Blackstone Valley Education Hub opening last week and encouraged anyone who has not visited yet to stop by. **Chairman Melia 1)** added that he also attended, and the Lt. Governor was there to speak on behalf of Governor. Chairman Melia stated that there were about one hundred and fifty people were in attendance. 2) attended a security forum for school buildings put on by the School Department. Chairman Melia added that the presentation was excellent, informative and they did a great job. Chairman Melia stated that after seeing the presentation he feels as though we are in good shape with public safety in School Departments. **Chairman Ampagoomian 1)** notified the Selectmen that the Earth Removal Board will be holding a meeting on October 4, 2018, pertaining to a gravel permit, and the topic is regarding the conditions that have not been upheld. 2) announced that there is an educational program being sponsored by the Central Mass Regional Planning Commission to bring awareness about clean water, storm drains, etc. Another initiative being released is on recycling.

Chairman Melia added that the next meeting is scheduled for Monday, October 1, 2018.

ITEMS FOR FUTURE AGENDA/None

CORRESPONDENCE/None

EXECUTIVE SESSION/None

A motion/Mr. Athanas, seconded/Mr. Nolan to adjourn the public meeting. Vote yes/Unanimous.

Meeting Adjourned: 7:51 PM

Respectfully submitted,

Daniel Nolan, Clerk

/mjw

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

September 24, 2018

- I. APPROVAL OF MINUTES: A. August 20, 2018**
 - Copy of August 20, 2018 minutes
- II. PUBLIC HEARING/None**
- III. APPOINTMENTS/By the Town Manager:B. Olivia Mathieu, Outreach Worker [Senior Center]/Present: Kelly Bol, Senior Center Director**
 - Copy of employment application of Olivia Mathieu
 - Copy of resume of Olivia Mathieu
 - Copy of cover letter of Olivia Mathieu
- IV. CITIZENS' COMMENTS/INPUT/None**
- V. DECISIONS**
 - C. Northbridge High School DECA/Request to hold a boot drive at Memorial Square and Ovia Square on Saturday, April 6, 2019 from 9 AM to 1 PM [Rain date: Saturday, April 13, 2019]; subject to the safety requirements of the Northbridge Police Department**
 - Copy of Boot drive request form
 - Copy of Hold harmless agreement
 - D. Northbridge Association of Churches/Request to hold their 44th annual Blackstone Valley Crop Walk on Saturday, October 20, 2018 at 8:30 AM**
 - Copy of request to hold the Valley Crop Walk on Saturday, October 20, 2018 at 8:30 AM
 - Copy of approval email from Chief of Police
 - Copy of approval email from Department of Public Works Director, James Shuris
 - E. Pine Grove Cemetery Deed/Gloria Ahmadjian [Lot No. 189, Woodlawn Ave.]**
 - Copy of Pine Grove Cemetery Deed
 - F. Water Bill Dispute – 373 Lincoln Circle/Present: Property Owner David Medeiros, Treasurer/Collector Julie Harris, & Whitinsville Water Company General Manager Randy Swigor**
 - Copy of memo regarding 373 Lincoln Circle – Water Shut off
 - Copy of payment history with the Treasurer/Collector's office
 - Copy of water bill dated 5/31/18
 - Copy of past due water notice dated 7/11/18
 - Copy of final water notice dated 8/14/18 with a shut-off date of 8/28/18
 - Copy of shut off letter notifying customer past due amount for water and sewer dated 8/27/18.
 - Copy of online payments receipt
 - G. DPW: Materials for Installation of Guard Rails and Fencing along Town Ponds/Present: James Shuris, Department of Public Works Director & Jamie Luchini, Highway Superintendent**
 - Copy of proposal for Corten Gaurdail

- Copy of image of Corten guardrail
- Copy of proposal for wood beam guardrail
- Copy of image of wood beam guardrail
- Copy of proposal for steel beam guardrail
- Copy of image of steel beam guardrail
- Copy of chain link fence quote
- Copy of Cost Analysis

H. State Election [Tuesday, November 6, 2018]/Vote to sign Warrant

- Copy of State Election Warrant

I. Fall Annual Town Meeting Warrant: Vote to remove **A. (Prior Year Bills), **B.** (Sewer Enterprise Fund Appropriations), and **C.** (Transfer to Stabilization)**

- Copy of Town Meeting Warrant Articles to be removed
- Copy of draft fall Annual Town Meeting Warrant

J. Town Manager's Goals

- Copy of Selectmen's goals for the Town Manager

- VI. DISCUSSIONS/None**
- VII. TOWN MANAGER'S REPORT/None**
- VIII. SELECTMEN'S CONCERNS/No documentation**
- IX. ITEMS FOR FUTURE AGENDA/None**
- X. CORRESPONDENCE/None**
- XI. EXECUTIVE SESSION/None**

BOARD OF SELECTMEN'S MEETING October 1, 2018

A meeting of the Board of Selectmen was called to order by Chairman Thomas Melia at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Present:** Board members – Ampagoomian, Athanas, Cannon, Melia and Nolan. **Also Present:** Adam D. Gaudette, Town Manager.

The Pledge of Allegiance was recited by those present.

APPROVAL OF MINUTES: September 10, 2018. A motion/Mr. Athanas, seconded/Mr. Nolan to approve the September 10, 2018 minutes as presented with the readings omitted. Vote yes/Unanimous.

PUBLIC HEARING: None

APPOINTMENTS: B. Rainer Forst, Planning Board/[Present: Brian Massey, Chairman, Planning Board]. Mr. Massy stated that there a few vacancies on the Planning Board and Mr. Forst submitted a talent bank form with interest in serving on the Planning Board. The Planning Board unanimously voted to support his appointment and believe his background will be a good fit to the Planning Board. Mr. Forst stated he was born in Germany and has been living and working in the United States since 1998. Mr. Forst has his PhD in Physics and Computer Science and has been retired for a year. Mr. Forst stated he has the energy and interest to serve on this Board. A motion/Mr. Athanas, seconded/Mr. Nolan to appoint Mr. Rainer Forst to the Planning Board. Vote yes/Unanimous.

CITIZENS' COMMENTS/INPUT: None

NHS Class of 2019 Operation Graduation/Request to hold a boot drive at Memorial Square and Ovia Square on Saturday, November 3, 2018 from 9 AM to 2 PM [Rain date: November 4, 2018] /Present: Maria Paulhus. Ms. Paulhus stated that they are looking to hold a boot drive to benefit the chaperoned all night event for graduates, which has been going on since 1991. Ms. Paulhus stated that the Police Department has been contacted and those collecting will be wearing the vests. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to approve the request to hold a boot drive at Memorial Square and Ovia Square on Saturday, November 3, 2018 from 9 AM to 2 PM with a rain date of November 4, 2018. Vote yes/Messrs. Ampagoomian, Athanas, Melia and Nolan. Abstain: Ms. Cannon.

MRA Multisport [Alex Rogozenski] /1) Request to hold the 7th Annual 1st Day 5k Road Race on Tuesday, January 1, 2019 beginning at 11 AM /2) Request to close Linwood Avenue between 10:45 AM and 12 PM. A motion/Mr. Nolan, seconded/Mr. Ampagoomian to approve the request to hold the 7th Annual 1st Day 5k Road Race on Tuesday, January 1, 2019 beginning at 11 AM and the request to close Linwood Avenue between 10:45 AM and 12 PM. Vote yes/Unanimous.

Shop Small/Request to hang a banner across Church Street from Sunday, November 11, 2018 to Sunday, November 25, 2018 to advertise the 5th annual Shop Small Business Saturday on November 24, 2018 from 10 AM to 4 PM. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to approve the request to hang a banner across Church Street from Sunday, November 11, 2018 to Sunday, November 25, 2018 to advertise the 5th Annual Shop Small Business Saturday on November 24, 2018 from 10 AM to 4 PM. Vote yes/Unanimous.

Chairman Melia stated that before voting on the warrant articles they will be moving to discussions to hear the presentations on the articles. Item F was moved to after item G.

Fall Annual Town Meeting Article Presentations/Present: a) Articles 1 and 6 – Neil Vaidya, Town Accountant. Mr. Vaidya stated that Article 1 is a standard article regarding transfers from the Spring Town Meeting. Mr. Vaidya explained that the only transfers were additional Chapter 70 money for the school in the amount of twenty-two thousand five hundred and eighty dollars and fifty thousand dollars for the Board of Health for the Quaker Street landfill. Mr. Vaidya explained that Article 6 is to increase the exemption amount for seniors under clause 41c, from five hundred dollars to one thousand dollars. **b) Articles 2, 3, 5 – Brian Massey, Chairman, Planning Board and Gary Bechtholdt, Town Planner.** Mr. Bechtholdt stated that Article 2 is a Selectmen sponsored article which is specific to recreational marijuana and the local option to adopt a local sales tax of up to 3% for retail sale of recreational marijuana. Chairman Melia asked if any information was received that could indicate the amount of potential revenue. Mr. Bechtholdt stated that Northbridge would be allowed up to two establishments, but he does not have any figures on revenues. Mr. Bechtholdt stated that Article 3 is a Planning Board article for a zoning amendment article specific to defining recreational marijuana establishments, along with siting, locations and the requirements. Mr. Bechtholdt stated that the Planning Board held their public hearing to sponsor and they do support the article. Mr. Bechtholdt explained that this article defines the number of uses recognized under recreational marijuana and provides definitions and allowed zones, prohibited used, special permit requirements. Types of uses are Marijuana Cultivator, Marijuana Product Manufacturer, Marijuana Research Facility, Independent Testing Laboratory, Marijuana Retailor and other marijuana licensed businesses. The Planning Board is looking to allow by special permit all uses within the I1 and I2, and limiting the retail to B2, B3, I1 and I2. Mr. Bechtholdt explained that there will be buffers in the amount of five hundred feet from schools, child care facilities, public library, town playground and Town of Northbridge ballfield and Youth Center. Selectman Ampagoomian asked if the special permitting process a public hearing will be needed. Mr. Bechtholdt stated that as part of the process they would need to have a public hearing through the Planning Board. Selectmen Athanas asked if the article doesn't pass if it is free will for those looking to set up shop in the recreational marijuana industry. Mr. Bechtholdt explained that without a local bylaw the Zoning Enforcement Officer would be left to interpret what type of use that closely fits within the existing zoning, which would create a lot of confusion and would not provide any safeguards to protect abutters. This will establish local oversight. Mr. Bechtholdt explained that Article 5 is a Board of Selectmen sponsored article which establishes the Community Preservation Act, which was adopted at the ballot last spring. This will establish the bylaw, create the body that will oversee the funds and establish the duties and roles of that committee. Chairman Melia asked how the calculation of allowed establishments is calculated. Mr. Bechtholdt stated that it is 20% of the Towns allowed licenses for package stores, which is State regulation. Selectman Ampagoomian asked about the moratorium currently in place. Mr. Bechtholdt stated that the moratorium is in place until the end of November, and applicants would first need to go through the Cannabis Control Commission before coming for local approval. **c) Article 4 – Barbara McNamee, Chairman, Conservation Commission and David Pickart, Conservation Agent.** Mr. Pickart stated that the changes to the bylaw will allow the Conservation Commission and residents an opportunity to review and assess commercial forest cutting activities within and immediately adjacent to protected wetland resources. This change will also allow the Conservation Commission the ability to monitor work and address problems that may arise in a timely and effective manner. Selectman Ampagoomian asked if this bylaw would apply to those looking to clear cut for developments. Mr. Pickart stated yes, it will apply to developments as well. **d) Article 7 – School Building Committee.** Mr. Strazulla, Chairman of the School Building Committee stated that the final community forum is scheduled for October 10, 2018 at 6 PM at the Balmer School. Mr. Strazulla discussed the need for a new Balmer and key dates. The Fall Town meeting vote will be October 23, 2018 and the Debt Exclusion Ballot Vote will be November 6, 2018. Mr. Strazulla reiterated the existing conditions of the Balmer School and the Northbridge Elementary School. Mr. Strazulla explained that the existing overall space of Balmer and NES combined is 23% undersized. Mr. Strazulla stated that the consolidation will allow to provide a long-term solution to the deteriorating buildings, meet the Massachusetts School Building Authority standards for education space and bring the school up to code. Mr. Strazulla explained if the new school passes the Elementary School would then be turned over to the Board of Selectmen, who will then have the ultimate decision of what happens to the

building. Mr. Strazulla went on to discuss the site design. Mr. Strazulla stated that the total project cost including construction, fees, furniture fixtures and equipment, and contingencies is one hundred ninety-seven million dollars. Mr. Strazulla explained that the project cost to Northbridge is fifty-three point forty one million dollars. Mr. Strazulla stated that based on 4.5% interest rate over a thirty-year bond the increase is \$1.85 per \$1,000. If the school does not pass the cost of repairs total in fifty-three million dollars and does not include cost escalation past 2020. Selectwoman Cannon asked if Mr. Strazulla could comment on the traffic in the area with the new gas station and Dunkin Donuts now open. Mr. Strazulla stated that they brought that question back to the engineers, and what they measured were the peak times, and they found there would not be any peak traffic impacts. Selectwoman Cannon commented that at one of the School Building meetings some discussion included the traffic study accounted for growth in that area. Mr. Strazulla stated he didn't recall but does know that the study did count the projected growth into account. Selectwoman Cannon asked about the Mason Road residents and the impact the new school would have on those residents. Mr. Strazulla stated that there was a neighbors' meeting for those residents whose property directly touches the site. Some of the concerns were noise pollution and how close the town property line is to their existing homes. Mr. Strazulla explained that they paid for engineers to stake the lines, then walked them. Mr. Strazulla continued, there will be a significant difference to what they would be hearing if the school passes versus what they have been. Mr. Strazulla explained they have been trying to inform them as much as possible on what to expect and work with them to make every concession possible, along the lines of plantings, fencing, noise abatements, etc. Selectman Athanas asked how the reimbursement is distributed to the Town. Mr. Strazulla stated that it will depend on what we are borrowing, but the money will come in as it is spent. Selectman Ampagoomian asked what the square footage is of the parking area is. Mr. Strazulla stated he wasn't sure of the size but is an additional 200 parking spaces. Selectman Ampagoomian asked what the contingencies are and if it was enough. Mr. Ampagoomian explained that when the High School was built they ran into unexpected issues and the contingency money did not cover those issues. Mr. Strazulla stated that he understands it as the contractor was not upfront about some of the soil borings for that project. Mr. Strazulla went on to say that he feels the contingency money is accurate for this project. Selectman Ampagoomian asked if not all the money is spent where does it go. Town Manager Gaudette explained that if it doesn't need to be spent it won't be borrowed. Chairman Ampagoomian asked if a presentation would be made at the Town Meeting. Mr. Strazulla stated that they will present, and the Owners Project Manager and designer will be there to answer questions. Selectman Nolan asked if upgrades in the water and sewer to support the increase in volume at that location. Mr. Strazulla explained that all of that is figured into the estimates, so everything will be sized appropriately. Chairman Melia reminded everyone that if this passes it is a sacrifice to most people, due to the increase in taxes, but is worthwhile. Chairman Melia continued stating that he believes most people have made up their minds a long time ago and commended the School Building Committee for getting all the information to the residents. Chairman Melia asked if the project fails the forty-seven million dollars from the Massachusetts School Building Authority (MSBA) is lost. Mr. Strazulla explained that if it fails he will need to go to Boston and inform the MSBA that it did not pass, and they then vote to remove the Town from the queue, and the forty-seven million dollars goes back into the pool to be redistributed to another district.

e) Article 10 – Chloe Mawn, Petitioner. Town Manager Gaudette stated that this article will be passed over at the request of petitioner Chloe Mawn, who will be submitting a motion to pass over the article at Town Meeting.

f) Article 12 – Alex Curlin, Nexamp. Mr. Curlin stated that the project on Oakhurst Road, which is a one-megawatt project, and is adjacent to a project that has been up for a couple years now. Mr. Curlin stated that the abutter impacts are minimal and have not received any complaints. Mr. Curlin explained that all the power will be sold to local residential households looking to purchase solar energy. Mr. Curlin explained that the tax revenue would not diminish if the value of assessed property goes down. Mr. Curlin explained the PILOT proposal details with the project size is .52 Megawatts, Equipment Costs and Land Value at \$329,245, PILOT rate per thousand \$19.84 and the first-year payment to the Town \$6,532. Total twenty-year payments of \$66,649. Mr. Curlin stated that there is depreciation as well of 10% in years two through eleven and 2% thereafter. Chairman Melia asked if the company were to close business what would happen with the solar panels. Mr. Curlin stated that if that were to happen the bank would foreclose and take it

over. Mr. Curlin explained that they have decommission insurety posted in the form of a bond up front. Chairman Melia asked what the revenues received from this project be used towards. Town Manager Gaudette explained that the town adopted a special act to allow for that money to go into the Building Maintenance fund and accrues every year and the revenue is aligned with certain Capital Projects. Selectman Nolan asked about the diagram and the DC Storage unit. Mr. Curlin stated that there is DC storage and there will be a battery system installed in Sutton, which will be a 400-kilowatt two-hour battery. Mr. Curlin stated that the battery would be used to optimize the flow of electrons from the project into the grid. Selectman Nolan asked if all projects had this or if it was a newer addition. Mr. Curlin stated this is a new addition.

Fall Annual Town Meeting Warrant: Vote positions on Articles 1 through 7, 10 and 12. Article 1: Omnibus Budget Article. A motion/Mr. Ampagoomian, seconded/Mr. Athanas to support Article 1. Vote yes/Unanimous. **Article 2: Recreational Marijuana Sales Tax.** A motion/Mr. Nolan, seconded/Ms. Cannon to support Article 2. Vote yes/Unanimous. **Article 3: Zoning Bylaw for Recreational Marijuana Establishments.** A motion/Mr. Athanas, seconded/Ms. Cannon to support Article 3. Vote yes/Unanimous. **Article 4: Wetlands Protection Bylaw.** A motion/Mr. Nolan, seconded/Mr. Ampagoomian to support Article 4. Vote yes/Unanimous. **Article 5: Community Preservation Committee.** A motion/Mr. Ampagoomian, seconded/Ms. Cannon to support Article 5. Vote yes/Unanimous. **Article 6: Exemption Increase.** A motion/Mr. Ampagoomian, seconded/Mr. Nolan to support Article 6. Vote yes/Unanimous. **Article 7: Balmer School.** A motion/Mr. Nolan, seconded/Ms. Cannon to support Article 7. Vote yes/Unanimous. **Article 10: Marijuana Cultivation Zone permitting.** A motion/Mr. Nolan, seconded/Mr. Athanas to support the pass over of Article 10. Vote yes/Unanimous. **Article 12: Nexamp Solar Tax Agreement.** A motion/Mr. Athanas, seconded/Mr. Ampagoomian to support Article 12. Vote yes/Unanimous.

TOWN MANAGER'S REPORT: Meetings Attended: 1) Tuesday, September 18, 2018 – Attended a regional Town Managers Meeting (MORE) at Central Mass. Regional Planning Commission. Tuesday, September 18, 2018 – Attended the Blackstone Valley Education Hub ribbon cutting at the Chamber of Commerce with Lt. Governor Polito attending. Wednesday, September 19, 2018 – Attended a regional Managers meeting with Blackstone Valley Tech Superintendent Dr. Michael Fitzpatrick. Thursday, September 20, 2018 – Met with Board of Selectmen Chairman Melia. Thursday, September 20, 2018 – Met with Cable Advisory Chairman, Harry Berkowitz. Friday, September 21, 2018 – Held a Department Managers Meeting. Sunday, September 23 – Wednesday, September 26, 2018 – Attended the International City Managers Conference (ICMA) in Baltimore, MD. Thursday, September 27, 2018 – Met with Chairman Melia to discuss Board of Selectmen's Agenda. 2) **Balmer School Building Project:** The Massachusetts School Building Authority (MSBA) has voted to approve the Schematic Design and Project Budget, along with the total facilities grant of **\$46,043,257**. The Selectmen have voted to place the debt exclusion for the project on the State Ballot for November 6, 2018. The warrant article has been reviewed and approved by Town Counsel, MSBA and Bond Counsel. The School Building Committee recently voted to sponsor the article on the Fall Annual Town Meeting Warrant. 3) **DPW Garage Project:** A temporary certificate of occupancy (TCO) extension was issued by the Building Inspector with an expiration date of 21 October 2018. The Owner's Project Manager (OPM) continues to work with the General Contractor/Engineer-On-Record to finalize the OEM manuals, user-training and project close-out documents. The final certificate of occupancy will be issued after the remaining/open items are completed. These include the installation of the permanent heat detector/exhaust fan connection and Professional Engineering-On-Record affidavits and "as-builts". The Fire Alarm Contractor is onsite as of September 28th to complete the remaining work. It is anticipated that the Building Planning Construction Committee will review/approve these final documents in Mid-October 2018. 4) **Fire Station Project (Feasibility Study):** The Town Manager and the Fire Chief have been working with the OPM team from Cardinal on the Site Selection for inclusion in the Request for Quotations for Designer (Architect) Services. The site selection team has met with the OPM several times to discuss site selection and are preparing for site recommendations for the Building Planning

and Construction Committee. **5) Fall Annual Town Meeting:** Town Staff continues to prepare for the October 23rd Fall Annual Town Meeting. The main task for the upcoming week will be putting together the Booklets that include the Finance Committee Recommendations.

SELECTMEN'S CONCERNS: **Selectman Ampagoomian 1)** asked if Town Moderator Gould would be running the Fall Annual Town Meeting. Town Manager Gaudette stated that he would be working with Town Moderator Mr. Gould and Deputy Town Moderator, Jack Crawford. **2)** asked for an update on the Historical Commission members and if any were lined up to fill the vacancies. Town Manager Gaudette stated that Mr. Bechtholdt has been working with that Committee and asked if he had an update. Mr. Bechtholdt stated that they are scheduled to meet with candidates later in the month and are aiming for their appointments at the Spring Town Meeting. **3)** stated that the Northbridge Fire Department held a training over the weekend, that was very impressive and commended Chief White. **Selectman Athanas 1)** asked if we have an idea on the details of the Quaker Street landfill. Town Manager Gaudette stated that the Board of Health is working with the Department of Environmental Protection, who have hired consultants. Town Manager Gaudette explained that they have the contamination area narrowed down to a few homes and they have been provided water to those homes and the funds will go to further testing and equipment to outfit the homes for filtering. **2)** asked how far away the full occupancy permit is for the new Department of Public Works Facility. Town Manager Gaudette stated that we are waiting on as built plans from the engineer.

Chairman Melia announced that the next Selectmen's meeting is scheduled for Monday, October 15, 2018 at 7 PM.

ITEMS FOR FUTURE AGENDA: None

CORRESPONDENCE: Town Manager Gaudette announced that on October 13th the Fire Department will be holding their Open House for Fire Prevention Week. Town Manager Gaudette announced that on Tuesday, October 16th at 10 AM and 6 PM there will be an informational discussion on development strategies for downtown Rockdale.

EXECUTIVE SESSION: None

A motion/Mr. Ampagoomian, seconded/Mr. Nolan to adjourn the public meeting. Vote yes/Unanimous.

Meeting Adjourned: 8:35 PM

Respectfully submitted,

Daniel Nolan, Clerk

/mjw

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

October 1, 2018

- I. APPROVAL OF MINUTES**
 - A. September 10, 2018**
 - Copy of September 10, 2018 meeting minutes
- II. PUBLIC HEARING**
- III. APPOINTMENTS: B. Rainer Forst, Planning Board/[Present: Brian Massey, Chairman, Planning Board]**
 - Copy of letter of recommendation from the Planning Board
 - Copy of Talent Bank Form
- IV. CITIZENS' COMMENTS/INPUT/No documentation**
- V. DECISIONS:**
 - C. NHS Class of 2019 Operation Graduation/Request to hold a boot drive at Memorial Square and Ovia Square on Saturday, November 3, 2018 from 9 AM to 2 PM [Rain date: November 4, 2018] /Present: Maria Paulhus**
 - Copy of boot drive request form
 - Copy of Hold Harmless Agreement
 - D. MRA Multisport [Alex Rogozenski] /1) Request to hold the 7th Annual 1st Day 5k Road Race on Monday, January 1, 2019 beginning at 11 AM /2) Request to close Linwood Avenue between 10:45 AM and 12 PM**
 - Copy of letter requesting to hold the 7th Annual 1st Day 5k Road Race and a request to close Linwood Avenue between 10:45 AM and 12 PM
 - Copy of email approval from Highway Department
 - Copy of email approval from Police Department
 - E. Shop Small/Request to hang a banner across Church Street from Sunday, November 11, 2018 to Sunday, November 25, 2018 to advertise the 5th annual Shop Small Business Saturday on November 24, 2018 from 10 AM to 4 PM**
 - Copy of email from Christine Guanipa requesting to hang a banner across Church Street
 - F. Fall Annual Town Meeting Warrant: Vote positions on Articles 1 through 7, 10 and 12**
 - Copy of Fall Annual Town Meeting Warrant
- VI. DISCUSSIONS**
 - G. Fall Annual Town Meeting Article Presentations/Present: a) Articles 1 and 6 – Neil Vaidya, Town Accountant, b) Articles 2, 3, 5 – Brian Massey, Chairman, Planning Board and Gary Bechtholdt, Town Planner c) Article 4 – Barbara McNammee, Chairman, Conservation Commission and David Pickart, Conservation Agent, d) Article 7 – School Building Committee, e) Article 10 – Chloe Mawn, Petitioner, f) Article 12 – Alex Curlin, Nexamp**
 - Copy of letter regarding Planning Board recommendation on article 3 of the Fall Annual Town Meeting Warrant

- Copy of letter regarding Conservation Commission vote to sponsor article 4
- Copy of Conservation Commission meeting minutes
- Copy of letter regarding the Conservation Commissions recommendation to amend the Conservation bylaw
- Copy of marijuana petition farmer's guidance
- Copy of PowerPoint presentation for Petition Articles for Residential 2 – Adult Use Cannabis Cultivation
- Copy of Solar Equipment Cost spreadsheet
- Copy of PowerPoint of Project Overview and Pilot Discussion

VII. TOWN MANAGER'S REPORT/No documentation

VIII. SELECTMEN'S CONCERNS/No documentation

IX. ITEMS FOR FUTURE AGENDA/None

X. CORRESPONDENCE

- Copy of Save the Date Flyer for the Downtown Rockdale Workshop Informational Session

XI. EXECUTIVE SESSION/None

B.

10/3/18

To the Northbridge Board of Selectmen:

This letter is a written request from the co-founders of the Purgatory Beer Company to change our operating hours. Currently we are approved to be open 7 days a week, 11:00am-10:00pm. and we would like to change our ability to operate to 7 days a week, 10:00am to 11:00pm.

Thank you,

Brian Distefano
Co-Founder

Purgatory Beer Company
670 Linwood Avenue
Whitinsville, MA 01588

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.**

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

LICENSEE NAME:

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

TRANSACTION TYPE (Please check all relevant transactions):

☐ Change of Hours

☐ Change of DBA

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

NTM License Slips

Row 1

Current Status On Agenda for 10/15/18

Done ☐

License ID: NTM#16067

License Type: Change of Hours

Description: Purgatory Brewing Co. is seeking to change their current hours of 7 days a week from 11AM to 10 PM to 7 days a week 10 AM to 11 PM.

Business: Purgatory Brewing Co.

Applicant: Brian Distefano

Address: 670 Linwood Avenue, Bldg C. 111A, Whitinsville

Approval Target 10/11/18

Slip Started on: 10/04/18 4:17 PM

PLANNING Approve: ☒

PLANNING Comments: N/A -not applicable

POLICE Approve: ☒

POLICE Comments:

FIRE Approve: ☒

FIRE Comments:

BUILDING ZONING Approve: ☒

BUILDING ZONING Comments:

CONSERVATION Approve: ☒

CONSERVATION Comments: N/A

HEALTH

Approve: ☒

HEALTH
Comments:

ASSESSORS
Approve: ☐

ASSESSORS
Comments:

TREASURER
COLLECTOR
Approve: ☒

TREASURER
COLLECTOR
Comments:

FALL ANNUAL TOWN MEETING WARRANT - 10/23/18 - 7:00 PM

Presenter		Selectmen	Finance Committee	Town Meeting
Article 1. FY '19 Budget Adjustments	Selectmen	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
Article 2. Vote to accept MGL c.64N, Section 3 (local sales tax of 3% of the gross receipts from the sale of recreational marijuana, products, and edibles)	Selectmen	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
Article 3. Amend Chapter 173 of the Code by adding New section 173-18.6 Recreational Marijuana Establishments and insert in the Table of Use under the “Retail and service” heading the use designation.	Planning Board	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
Article 4. Amend the Wetlands Protection Bylaw by adding to Section 7-702 “Jurisdiction” to extend it to cutting and removal of trees for the purpose of selling the trees or products derived from it. And to revise Section 7-703 C. Exemptions and Exceptions: an application and permit <u>are</u> required for cutting and removal of trees for the purpose of selling the trees.	Cons. Comm.	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> x </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
Article 5. Establish a Community Preservation Committee	Board of Selectmen	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
Article 6. Increase the exemption under Clause 41C of Chapter 59 from \$500 to \$1,000	Board of Selectmen	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
Article 7. New Balmer Elementary School Subject to a Debt Exclusion	School Bldg. Comm.	Support	<u> x </u>	<u> </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>
<i>The Board will vote their position on Article 8 at their next meeting, October 15, 2018.</i>				
Article 8. Amend the Zoning Map to rezone 26.53-acre parcel of land south of Riverdale Street from R-3 to I-2.	Petition	Support	<u> </u>	<u> x </u>
		Non-support	<u> </u>	<u> </u>
		No Position	<u> </u>	<u> </u>
		Pass Over	<u> </u>	<u> </u>

The Board will vote their position on Article 9 at their next meeting, October 15, 2018.

Article 9.	Petition	Support	Non-support	No Position	Pass Over
	Amend the Zoning Map by expanding the existing B-3 zone off Providence Rd. from R-3 to B-3 (682-684 Church St.)	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>

Article 10.	Petition	Support	Non-support	No Position	Pass Over
	Marijuana cultivation to be permitted in R-2 zones on property greater than 12 acres; at least 2 access points from town roads: (100 feet from road and 50 feet of tree cover)	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>

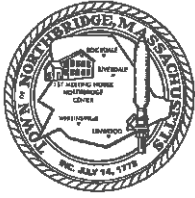
The Board will vote their position on Article 11 at their next meeting, October 15, 2018.

Article 11.	Petition	Support	Non-support	No Position	Pass Over
	Tax agreement for up to 25 years with Northbridge McQuade LLC to construct a solar farm.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>

Article 12.	Petition	Support	Non-support	No Position	Pass Over
	Tax agreement for up to 25 years with Sutton Solar 2 LLC to construct a solar farm.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>

The Board will vote their position on Article 13 at their next meeting, October 15, 2018.

Article 13.	Petition	Support	Non-support	No Position	Pass Over
	BOS to offer a special tax assessment to Crootof & Sawyer Ventures LLC for property located at 18 and 28 Granite Street	<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>	<u> </u>	<u> </u>



TOWN OF NORTHBRIDGE
PLANNING BOARD
7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588

PHONE: (508) 234-2447

FAX: (508) 234-0814

October 11, 2018

Doreen A, Cedrone, Town Clerk
Northbridge Memorial Town Hall
7 Main Street, Whitinsville, MA 01588

RE: 2018 FALL ANNUAL TOWN MEETING –PLANNING BOARD RECOMMENDATION
Article # 10 –Zoning Bylaw Amendment
Amend Zoning Bylaw to allow marijuana cultivation w/in R2

Dear Mrs. Cedrone:

Please be advised at its meeting of Tuesday, September 25, 2018, the Planning Board upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) voted (3-0) to NOT RECOMMEND or support petition article to amend the Northbridge Zoning Bylaw to allow marijuana cultivation within the Residential-Two Zoning District.

The Planning Board shall offer its Report & Recommendation at the Fall Annual Town Meeting scheduled for Tuesday, October 23, 2018. Should you require additional information concerning this matter please contact the Planning Office.

Sincerely,

R. Gary Bechtholdt II
Northbridge Town Planner

Cc: Town Manager/BOS
Bldg. Insp.
Petitioner
/File

**COMMONWEALTH OF MASSACHUSETTS
WARRANT FOR FALL ANNUAL TOWN MEETING
TOWN OF NORTHBRIDGE
TRANSACTION OF TOWN BUSINESS
TUESDAY, OCTOBER 23, 2018 - 7:00 P.M.**

WORCESTER, ss:

To any Constable of the Town of Northbridge in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the Inhabitants of the Town of Northbridge, qualified to vote in Town elections and Town affairs, to meet in the Northbridge High School Field House on Linwood Avenue, in Whitinsville, in said Northbridge, Massachusetts, on Tuesday, October 23, 2018 at 7:00 o'clock P.M., then and there to act on the following articles:

ARTICLE 1: (Board of Selectmen)

To see if the Town will vote to amend the votes taken under Article 3 of the 2018 Spring Session of the Annual Town Meeting (May 1, 2018), appropriations and transfers under the Omnibus Budget Article, to raise and appropriate, and/or to transfer from available funds in the Treasury and/or the Health Insurance Stabilization Fund to supplement appropriations under the Omnibus Budget Article; or take any other action relative thereto.

ARTICLE 2: (Board of Selectmen)

To see if the Town will vote to accept MGL c. 64N, Section 3 and impose a local sales tax upon the sale of recreational marijuana originating within the Town by a vendor at a rate of 3% of the gross receipts of the vendor from the sale of recreational marijuana, marijuana products, and marijuana edibles, said excise to take effect on the first day of the calendar quarter commencing at least 30 days after the vote of Town Meeting hereunder; or take any other action relative thereto.

ARTICLE 3: (Planning Board)

To see if the Town will vote to amend the Zoning Bylaw, Chapter 173 of the Code of Northbridge, by adding a new section 173-18.6, Recreational Marijuana Establishments, as follows, and inserting in the Table of Uses, section 173-12, under the "Retail and service" heading, the use designation information contained in subsection E (Location) of said section 173-18.6; or take any other action relative thereto:

§173-18.6 Recreational Marijuana Establishments

A. Purpose

- (1) To provide for the placement of Recreational Marijuana Establishments, in accordance with Chapter 369 of the Acts of 2012 and Chapter 55 of the Acts of 2017 - An Act to Ensure Safe Access to Marijuana, and the regulations issued by the Massachusetts Cannabis Control Commission, including but not limited to 935 CMR 500.00 et seq., in locations suitable for marijuana establishments and to minimize adverse impacts of such establishments on adjacent properties, residential neighborhoods, historic districts, schools, and playgrounds by regulating the siting, design, placement and security of Recreational Marijuana Establishments within the Town of Northbridge.

B. Applicability

- (1) Nothing in this Section shall be construed to supersede federal and state laws governing the sale and distribution of marijuana.
- (2) The number of Marijuana Retailers that shall be permitted shall be limited to (20%) of the number of licenses issued within the Town of Northbridge for the retail sale of alcoholic beverages not to be drunk on the premises where sold under section 15 of Chapter 138 of the General Laws. In the event that 20% of said licenses is not a whole number, the limit shall be rounded up to the nearest whole number.

C. Definitions

- (1) The following definitions shall apply for purposes of this Section and the Zoning Bylaw. Where not expressly defined in the Zoning Bylaw, terms used in this Section shall be interpreted as defined in G.L. c.94G and G.L. c.94I and regulations promulgated and/or incorporated thereunder, and otherwise by their plain language.

INDEPENDENT TESTING LABORATORY: A laboratory that is licensed by the Cannabis Control Commission and is: 1) accredited to the most current version of the International Organization for Standardization 17025 by a third-party accrediting body that is a signatory of the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement, or that is otherwise approved by the Cannabis Control Commission; 2) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test; and 3) qualified to test marijuana in compliance with regulations promulgated by the Cannabis Control Commission.

MARIJUANA ESTABLISHMENT: a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business for the non-medical, including recreational use of marijuana, as set forth in G.L. 94G, and any regulations promulgated thereunder.

MARIJUANA CULTIVATOR: an entity that may cultivate, process and/or package marijuana, to transfer and deliver marijuana to marijuana establishments, and to transfer marijuana to other marijuana establishments, but not to consumers.

MARIJUANA PRODUCT MANUFACTURER: an entity authorized to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to Marijuana Establishments and to transfer marijuana and marijuana products to other Marijuana Establishments, but not to consumers.

MARIJUANA RESEARCH FACILITY: is an academic institution, non-profit corporation or domestic corporation or entity authorized to do business in the Commonwealth of Massachusetts which may cultivate, purchase or otherwise acquire marijuana for conducting research regarding marijuana and marijuana products. Any research involving humans must be authorized by an Institutional Review Board. A Marijuana Research Facility may not sell marijuana it has cultivated.

MARIJUANA RETAILER: an entity authorized to purchase and deliver marijuana and marijuana products from Marijuana Establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to Marijuana Establishments and to consumers.

MARIJUANA TRANSPORTER: an entity not otherwise licensed by the Cannabis Control Commission, that is licensed to purchase, obtain and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers.

D. Prohibited Uses

- (1) On-site consumption of marijuana and marijuana products at Marijuana Establishments is not permitted unless expressly approved under this Section and authorized by and pursuant to state law or regulation.
- (2) Clubs, lodges, or other private grounds (non-profit and private) allowing on-site consumption of marijuana or marijuana products, but not operating as a licensed marijuana social consumption operator are prohibited.
- (3) No marijuana or marijuana product shall be smoked, eaten or otherwise consumed or

ingested on the premises of any Marijuana Establishment unless expressly permitted under this Section and permitted by state law or regulation. The prohibition on on-site consumption shall also include private social clubs or any other establishment which allows for social consumption of marijuana or marijuana products on the premises, regardless of whether the product is sold to consumers on site.

(4) No drive-through service shall be permitted at a Marijuana Establishment.

E. Location

(1) Marijuana Establishments may be allowed by Special Permit of the Planning Board (SPGA - Special Permit Granting Authority) within the following Zoning Districts of the Town of Northbridge. The designation S means allowed by Special Permit, and the designation “-” means not permitted.

USE	ZONING DISTRICT											
Marijuana Establishments:	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3 (1)	I-1	I-2	H
Marijuana Cultivator	--	--	--	--	--	--	--	--	--	S	S	--
Marijuana Product Manufacturer	--	--	--	--	--	--	--	--	--	S	S	--
Marijuana Research Facility	--	--	--	--	--	--	--	--	--	S	S	--
Independent Testing Laboratory	--	--	--	--	--	--	--	--	--	S	S	--
Marijuana Retailer	--	--	--	--	--	--	--	S	S	S	S	--
Any other type of licensed marijuana-related business for the non-medical use of marijuana, as set forth in G.L. 94G	--	--	--	--	--	--	--	--	--	S	S	--

(2) Marijuana Establishments may not be located within 500-feet of the following:

- School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
- Child Care Facility (registered in accordance with Massachusetts law);
- Public Library;
- Town Playground, Town of Northbridge ballfield; or
- Youth Center

(3) The distance under this subsection shall be measured in a straight line from the nearest point of the property line of the protected use to the nearest point of the property line of the proposed Marijuana Establishment.

- The distance requirement may be reduced by twenty-five percent or less, but only if the applicant demonstrates that the Marijuana Establishment would otherwise be effectively prohibited within the Town.

F. Design Standards and Siting Requirements

(1) A Marijuana Establishment shall be located within a fully-enclosed, secured, permanent building, including concrete floor, and may not be located in a trailer, cargo container, motor vehicle or other similar non-permanent enclosure.

(2) All aspects of a Marijuana Establishment relative to the cultivation, possession, processing,

sales, distribution, dispensing or administration of marijuana, marijuana products, or related supplies must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the building. A Marijuana Establishment shall not be located in a trailer, storage freight container, motor vehicle or other similar movable enclosure, unless operating as a licensed Marijuana Transporter.

- (3) Marijuana, marijuana products, associated supplies, and promotional advertising materials shall not be displayed or visible from the exterior of a Marijuana Establishment.
- (4) All business signage shall be subject to the permitting requirements of all applicable governmental authorities within the Commonwealth of Massachusetts and the requirements of the Zoning Bylaw.
- (5) A Marijuana Establishment shall be ventilated in such a manner that:
 - (a) No pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere; and
 - (b) No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or within any adjoining property.
- (6) An odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative and engineering controls that will be implemented to control such odors, including maintenance of such controls.

G. Procedure

- (1) The Planning Board shall be the Special Permit Granting Authority (SPGA) for Marijuana Establishments within the Town of Northbridge.
- (2) All applicants are encouraged to contact the Planning Department staff to schedule a pre-application meeting.
- (3) The SPGA shall refer copies of the application to the Board of Selectmen, Building Department, Fire Department, Police Department, Board of Health, Conservation Commission, Director of Public Works, Highway Department, and the Sewer Department for review of the application and submission of written recommendations to the Planning Board. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
- (4) After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other Town Boards and departments, the SPGA may act upon such a special permit application.
- (5) In addition to the materials to be submitted as required under Section 173-49.1 [Site Plan Review by Planning Board] of the Zoning Bylaw, the Applicant shall provide the following:
 - (a) Copies of all documentation demonstrating appropriate application status under State Law, including registration or license, as applicable, issued to the Applicant by the Cannabis Control Commission and other applicable Commonwealth of Massachusetts agencies for the establishment.
 - (b) Evidence that the Applicant has site control and the right to use the site for a Marijuana Establishment in the form of a deed or valid purchase and sale agreement, or, in case of a lease, a notarized statement from the property owner and a copy of the lease agreement.

- (c) A notarized statement signed by the Applicant's chief executive officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all individual persons associated with the entity as set forth above.
- (d) A description of all activities to occur on site, including all provisions for the delivery and storage of marijuana and marijuana products, and marijuana accessories.
- (e) A detailed floor plan of the premises of the proposed Marijuana Establishment that identifies the square footage available and describes the functional areas of the establishment.
- (f) Details showing all proposed exterior security measures for the premises, including lighting, fencing, gates and alarms, etc., for the purpose of ensuring the safety of employees and patrons and to protect the premises from theft and other criminal activity. A letter from the Town of Northbridge Chief of Police, or his/her designee, acknowledging review and approval of the security plan required and approved by the Cannabis Control Commission for the Marijuana Establishment. To the extent allowed by law, all such documents shall be confidential.
- (g) A description of the security measures, including employee security policies, approved for the establishment by the Cannabis Control Commission;
- (h) A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana approved for the establishment by the Cannabis Control Commission; and
- (i) A copy of proposed waste disposal procedures.

H. Special Permit Findings

In addition to the findings required for a Special Permit under Section 173-47 and any other provision of the Zoning Bylaw, the SPGA must also find all of the following:

- (1) The Marijuana Establishment meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will comply with all applicable State laws and regulations.
- (2) The Marijuana Establishment as proposed adequately addresses issues of appropriate site layout; security; vehicular and pedestrian traffic safety and circulation; parking requirements; landscaping/screening for the establishment; and the requirements of this Section.
- (3) The security plan meets all requirements of the Cannabis Control Commission, including the regulations at 935 CMR 500.110.

I. Special Permit Conditions

In addition to such conditions as the SPGA may impose for a particular special permit, the following conditions shall apply to all special permits issued under this Section.

- (1) A special permit granted under this Section shall be limited to the Applicant and shall be non-transferrable to another owner or operator.
- (2) The special permit shall lapse within three (3) to five (5) years of its issuance depending upon the terms and conditions of the Host Community Agreement between the Applicant and the Town, and the SPGA shall designate the specific period which shall apply. If the permit holder wishes to renew the special permit, an application to renew the special permit must be

submitted at least 120 days prior to the expiration of the special permit. Failure to comply will be cause for termination of the special permit.

- (3) The special permit shall lapse upon the expiration or termination of the applicant's registration or licensure required by the Commonwealth of Massachusetts. The permit holder shall notify the Building Inspector and SPGA in writing within 48 hours of the cessation of operation of the Marijuana Establishment or the expiration or termination of the license or permit issued for such operation by the Cannabis Control Commission.
- (4) No outside storage of marijuana, marijuana products or related supplies, marijuana accessories, or educational materials is permitted.
- (5) The hours of operation of a Marijuana Establishment shall be set by the SPGA, but in no event shall a Marijuana Establishment be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises between the hours of 11p.m. and 8 a.m. Monday through Saturday and before 10 a.m. on Sundays.
- (6) The Applicant/permit holder shall provide to the Building Inspector and Chief of the Police, the name, telephone number and electronic mail addresses of a contact person(s) in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

All other applicable provisions of the Northbridge Zoning Bylaw shall apply.

J. Prohibition Against Nuisances:

- (1) No Marijuana Establishment shall be allowed which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area. Failure to comply may result in suspension of the special permit and zoning enforcement action under the law.

K. Severability

- (1) The provisions of this Section are severable. If any provision, paragraph, sentence, or clause of this Section or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Section.

ARTICLE 4: (Conservation Commission)

To see if the Town will vote to amend the Town of Northbridge Wetlands Protection Bylaw, Section 7-700 of the Code of Northbridge, as follows, or take any other action relative thereto:

- A. by adding the following sentence at the end of Section 7-702, Jurisdiction: "The jurisdiction of this bylaw does extend to the cutting and removal of trees for the purpose of selling the trees or products derived therefrom."
- B. by revising Section 7-703.C., Exemptions and Exceptions, to read as follows, with the new text shown in bold: "The application and permit required by this chapter shall not be required for work performed for normal maintenance or improvement of land in agricultural use as defined by the Wetlands Protection Act Regulations at 310 CMR 10.04, but shall be required for cutting and removal of trees for the purpose of selling the trees." .

ARTICLE 5: (Board of Selectmen)

To see if the Town will vote to amend its general by-laws by adopting a new section, §4-322 Community Preservation Committee, and inserting said section in the Code of the Town of Northbridge; or take any other action relative thereto:

§4-322 COMMUNITY PRESERVATION COMMITTEE

A. Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

- a. One member of the Planning Board as designated by the Board;
- b. One member of the Conservation Commission as designated by the Commission;
- c. One member of the Historical Commission as designated by the Commission;
- d. One member of the Playgrounds and Recreation Commission as designated by the Commission;
- e. One member of the Housing Authority Board as designated by its Board of Directors;
- f. One member of the School Committee as designated by the Committee;
- g. Three at-large members appointed by the Board of Selectmen.

Members of the Community Preservation Committee shall serve for a term of three years or until the person no longer serves on the board or commission being represented. Any vacancy on the Community Preservation Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member for the unexpired portion of the term.

Should any of the commissions or boards who have appointment authority under this Section be no longer in existence for whatever reason, the appointment authority for that commission or board shall become the responsibility of the Board of Selectmen.

B. Duties

1. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Playgrounds and Recreation Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.
2. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with Community Preservation funds. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
3. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or recommend to set aside for later spending funds for general purposes that are consistent with community preservation.

C. Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall

approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

D. Amendments

The Community Preservation Committee shall, from time to time, review the administration of this Section, making recommendations, as needed, for changes in the Section and in administrative practice to improve the operations of the Community Preservation Committee. This Section may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

E. Severability

In case any paragraph or part of this Section be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other paragraph or part shall continue in full force and effect.

F. Effective Date

Following Town Meeting approval, this Section shall take effect immediately upon approval by the Attorney General of the Commonwealth and publication as required by law. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointments.

ARTICLE 6: (Board of Selectmen)

To see if the Town will vote to raise the exemption amount under Clause 41C Section 5, of Chapter 59 of the Massachusetts General Laws, providing tax exemptions to persons in Northbridge 65 years of age or older occupying property as their domicile, from \$500 to \$1,000; or take any other action relative thereto.

ARTICLE 7: (School Building Committee)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the Northbridge School Building Committee for planning, designing, constructing, originally equipping, and furnishing the new W. Edward Balmer Elementary School, serving grades PreK-5 and located at 21 Crescent Street, Whitinsville, MA, and all costs incidental and related thereto, including construction administration and project management services, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), with the understanding that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) sixty three point seventy-eight percent (63.78%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or take any other action relative thereto.

ARTICLE 8: (Petition)

To see if the Town will vote to amend the Zoning Map incorporated into its Zoning Bylaws by rezoning a 26.53 acre parcel of land southerly of Riverdale Street and westerly of the Providence and Worcester Railroad shown as Lot 5 on Assessor's Plat 23 from the existing Residential Three (R-3) zone to the Industrial Two (I-2) zone. (The parcel to be rezoned being shown on a plan on file with the Town Clerk); or take any other action relative thereto.

ARTICLE 9: (Petition)

To see if the Town will vote to amend the Zoning Map incorporated into its Zoning Bylaws to expand the existing Business Three (B-3) Zoning District off Providence Road by rezoning from Residence Three (R-3) to Business Three (B-3) the premises known as 682-684 Church Street and shown on Assessor's Map 14, as parcel 58, the premises known as 674 Church Street and shown on Assessor's 14, as parcel 59, and the parcel containing 4.41 acres of land with no numbered address off Church Street and shown as Assessor's Map 14, parcel 214; or take any other action relative thereto.

ARTICLE 10: (Petition)

Marijuana Cultivation shall be permitted within R2 zones in accordance with the Cannabis Control Commission on property greater than 12 acres in size, with at least two access points from constructed or non-constructed town roads, including minim of 100 feet distance from the road, and at least 50 feet surrounding tree cover.

ARTICLE 11: (Petition)

To see if the Town will vote in accordance with G. L. c. 59, § 38H to authorize the Board of Selectmen to enter into a Real and Personal Property Tax Agreement with Northbridge McQuade, LLC or its affiliated entity, with its business address at 4 Liberty Square, Boston, MA 02109, for a period of up to twenty-five (25) years, and to approve said agreement under which Northbridge McQuade, LLC or its affiliated entity, will pay the Town a sum of money per year relative to a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 2.9 megawatts (MW) AC which Northbridge McQuade, LLC or its affiliated entity proposes to construct and operate on a 60 acre +/- parcel of land located on the easterly side of McQuades Lane, Northbridge, MA and further to allow the Board of Selectmen to negotiate any amendments necessary to said Tax Agreement; or take any other action relative thereto.

ARTICLE 12: (Petition)

To see if the Town will vote in accordance with G. L. c. 59, § 38H to authorize the Board of Selectmen to enter into a Real and Personal Property Tax Agreement with Sutton Solar 2, LLC or its affiliated entity, with its business address at 4 Liberty Square, Boston, MA 02109, for a period of up to twenty-five (25) years, and to approve said agreement under which Sutton Solar 2, LLC or its affiliated entity, will pay the Town a sum of money per year relative to a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 1.0 megawatts (MW) AC which Sutton Solar 2, LLC or its affiliated entity proposes to construct and operate on a 2.28 acre +/- parcel of land located on the northeasterly side of Lasell Road, Northbridge, MA and further to allow the Board of Selectmen to negotiate any amendments necessary to said Tax Agreement; or take any other action relative thereto.

ARTICLE 13: (Petition)

To see if the Town will vote to authorize the Board of Selectmen (a) to offer Crootof & Sawyer Ventures, LLC a Special Tax Assessment and to enter into a Special Tax Assessment Agreement ("STA Agreement") with Crootof & Sawyer Ventures, LLC for the property located at 18 and 28 Granite Street, Northbridge, MA consistent with the STA Agreement on file in the Office of the Board of Selectmen, (b) to execute the STA Agreement and any amendments and documents relating thereto on terms and conditions determined by the Board of Selectmen to be in the best interest of the Town, and (c) to undertake any actions deemed by the Board of Selectmen to be necessary to effectuate the STA Agreement, including but not limited to submitting to Massachusetts' Economic Assistance Coordinating Council (EACC), the STA Agreement and all such documents and information necessary to have the EACC approve the STA Agreement and certify a project consistent with the STA Agreement; to determine that the project authorized by the STA Agreement is consistent with the Town's economic development objectives and is likely to increase or retain employment opportunities for Town residents; or to take any other action related thereto.

And you are directed to serve this warrant by posting attested copies thereof at the Whitinsville Post Office and the Salvation Army, in Whitinsville, all in Precinct 1; Gary's Variety and the Northbridge Post Office in Northbridge, all in Precinct 2; Town Clerk's Office and 1Quickstop in Whitinsville, all in Precinct 3; and the Whitinsville Social Library and Town Hall Annex in Whitinsville, all in Precinct 4; twenty-eight (28) days at least before the time and place of meeting aforesaid.

WHEREOF FAIL NOT, and make due return of the warrant, with your doings thereon, to the Town Clerk at the time and place of said meeting. GIVEN under our hand this 10th day of September in the year Two Thousand Eighteen.

SELECTMEN OF NORTHBRIDGE

Thomas J. Melia, Chairman

James J. Athanas

Alicia M. Cannon

Charles Ampagoomian, Jr.

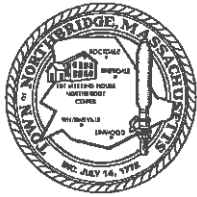
Daniel J. Nolan

WORCESTER, SS Northbridge

Date:

By virtue of this warrant I have this day notified the inhabitants of the Town of Northbridge qualified to vote in town elections and town affairs to meet at the time and place and for the purpose stated in said warrant by posting attested copies thereof as within directed.

Constable, Town of Northbridge



TOWN OF NORTHBRIDGE
PLANNING BOARD
7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588

D.a.

PHONE: (508) 234-2447

FAX: (508) 234-0814

October 11, 2018

Doreen A, Cedrone, Town Clerk
Northbridge Memorial Town Hall
7 Main Street, Whitinsville, MA 01588

RE: 2018 FALL ANNUAL TOWN MEETING –PLANNING BOARD RECOMMENDATION
Article # 8 –Zoning Bylaw Amendment
Amend Zoning from R3 to I2 [Riverdale Street -AP 23/5]

Dear Mrs. Cedrone:

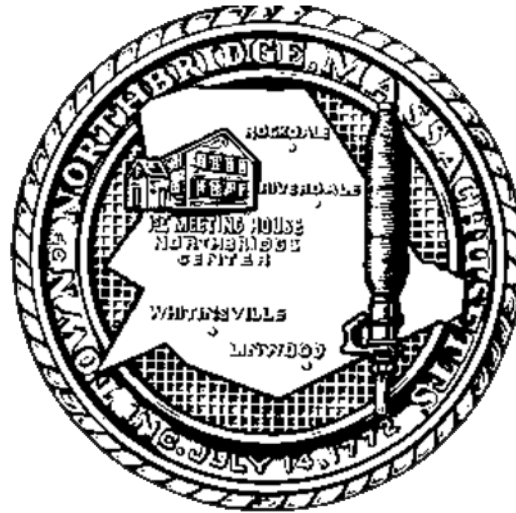
Please be advised at its meeting of Tuesday, September 25, 2018, the Planning Board upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) voted (3-0) to RECOMMEND and support petition article to amend the zoning designation of Assessor Map 23 Parcel 5 [Riverdale Street] from Residential-Three (R3) to Industrial-Two (I2).

The Planning Board shall offer its Report & Recommendation at the Fall Annual Town Meeting scheduled for Tuesday, October 23, 2018. Should you require additional information concerning this matter please contact the Planning Office.

Sincerely,

R. Gary Bechtholdt II
Northbridge Town Planner

Cc: Town Manager/BOS
Bldg. Insp.
Petitioner
/File



Cannabis Proposal for Northbridge, MA

Michael Hunnewell

Operations

mike.r.hunnewell@gmail.com

781-697-9323



Northbridge Timeline

- **August 2ndth** Informal municipal staff meeting
- **August 14th** Planning Board Meeting (7:05 PM -Town Hall)
- **August 20th** Board of Selectmen Meeting (TBD)
- **August 24th** Warrant Closes for Town Meeting (12PM)
- **September 11th & September 25th** Planning Board Public Hearing (7PM -Town Hall)
- **September 11th – October 10th** Finance Committee Meeting (TBD)
- **October 23rd** Fall Annual Town Meeting (7PM -Northbridge Middle School)

US Cannabis Market Value

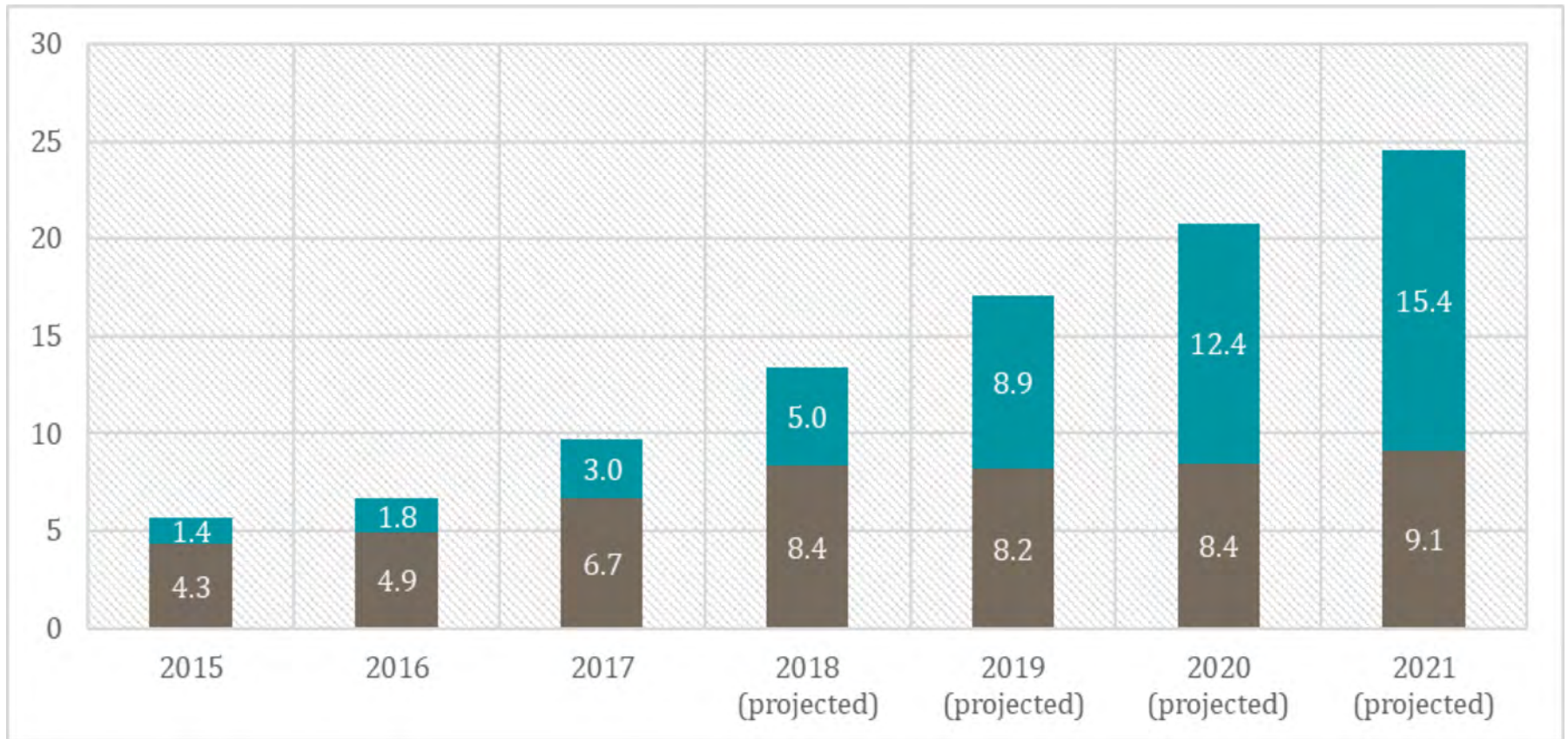


Figure 4. Medical and recreational cannabis sales forecast, billion \$

- Massachusetts becoming legal will open the door to 6.8 million people with a state GDP of \$507B.

Massachusetts Timeline

November 8th, 2016: Question 4: Legalization of cannabis (Majority vote for “Yes” in Northbridge)



September 2017: Cannabis Control Commission established

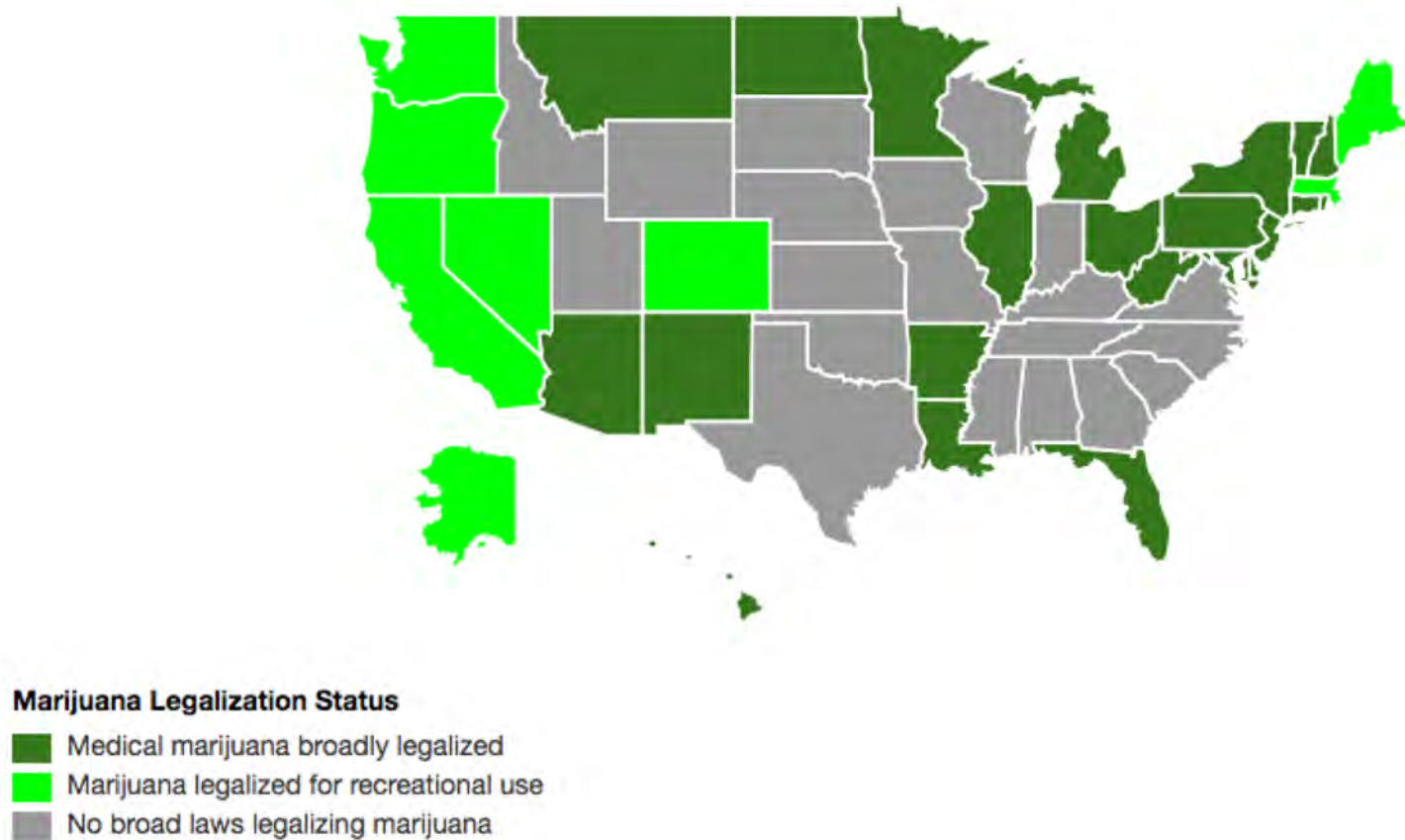


June 1st, 2018: CCC can start awarding licenses

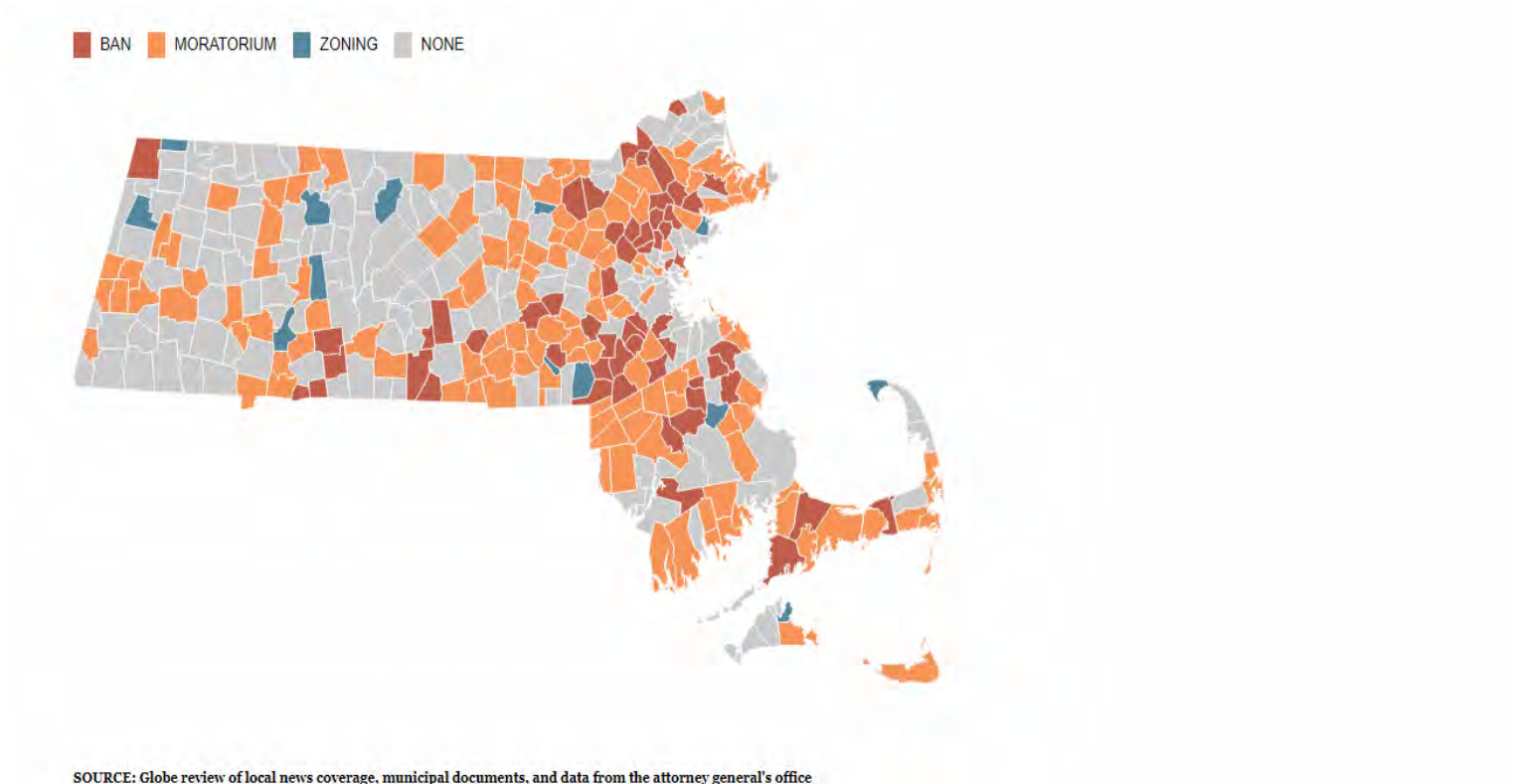


December 31st 2018: Towns and Municipalities must have established guidelines for cannabis licenses in their district

Nationwide Cannabis Legislation



State Map of Local Legislation



Map of Massachusetts outlining zoning laws on recreational cannabis sales by town.
As of March 17th, 2018

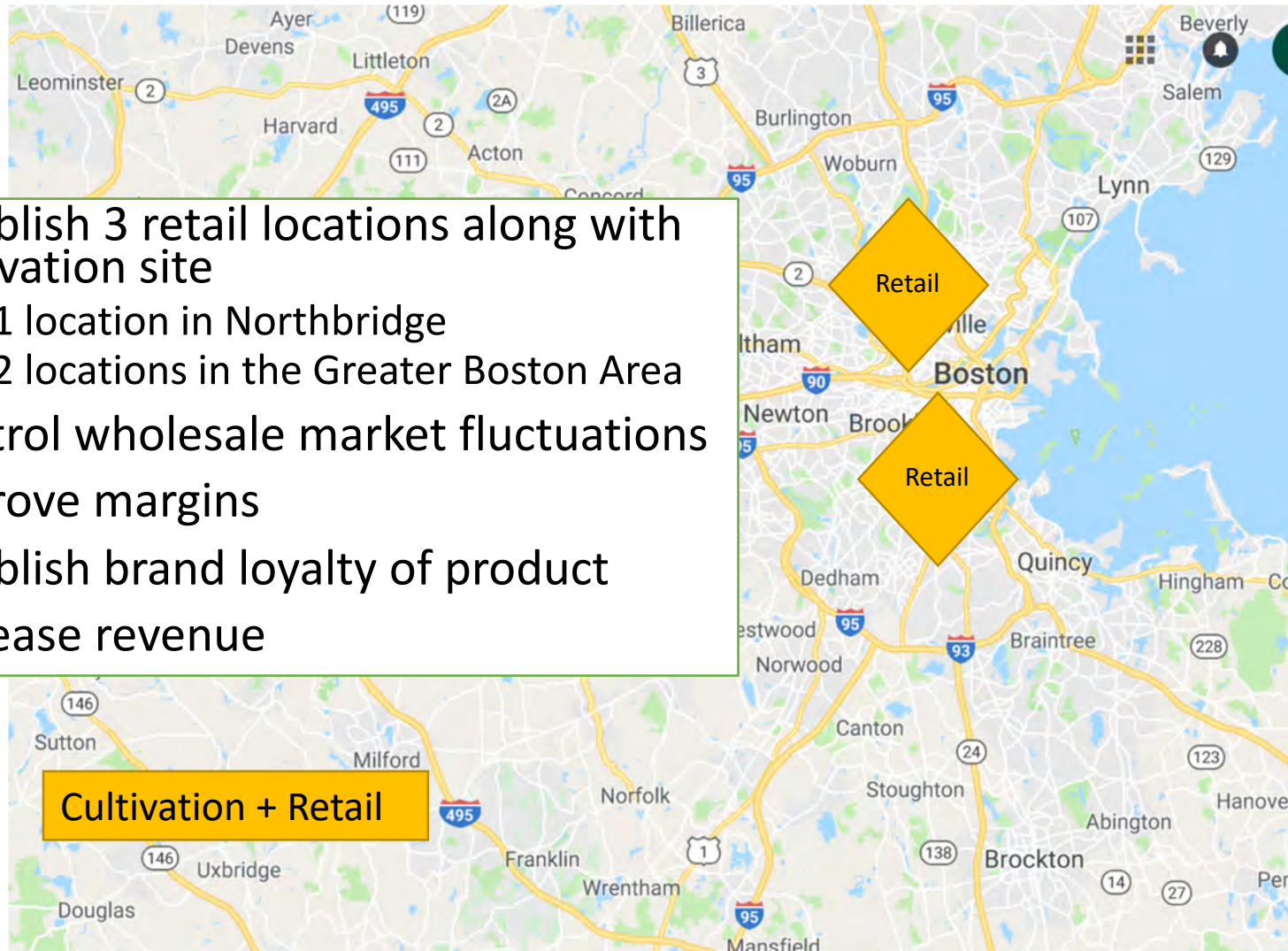
Permit Options

- Applicable Permits
 - Cultivation
 - Transport
 - Retail
 - Manufacturing
 - Testing
- May have up to 3 of each



Vertical Integration

- Establish 3 retail locations along with cultivation site
 - 1 location in Northbridge
 - 2 locations in the Greater Boston Area
- Control wholesale market fluctuations
- Improve margins
- Establish brand loyalty of product
- Increase revenue



Involvement with Northbridge

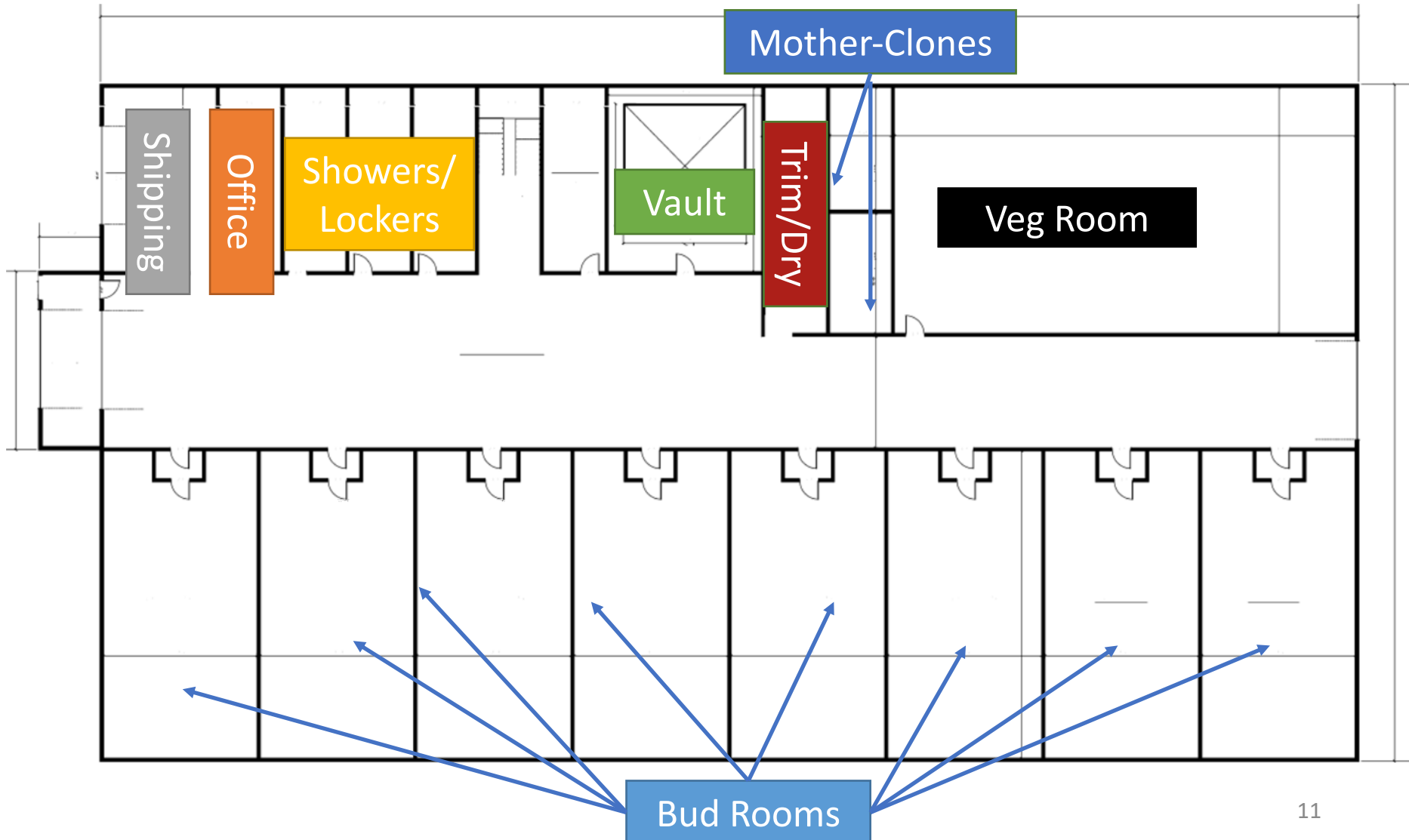
- Applying for retail and cultivation permits
- Still in deliberation on manufacturing permit
- Estimating 20+ new jobs
- 3% local tax can be collected on retail sales
- Cultivation site will be low profile



Cultivation By The Numbers

- Price per pound in first few years of legalization \$2,500-\$3,000 wholesale
- Average cost per pound to cultivate \$500-\$700
- Example: 40,000 sq ft facility can harvest around 18,000 lbs of product a year
- After costs of labor and overhead, EBITA is estimated around \$25M annually with a CAPEX of \$6M-\$10M to get started

Typical Greenhouse Layout



Cultivation

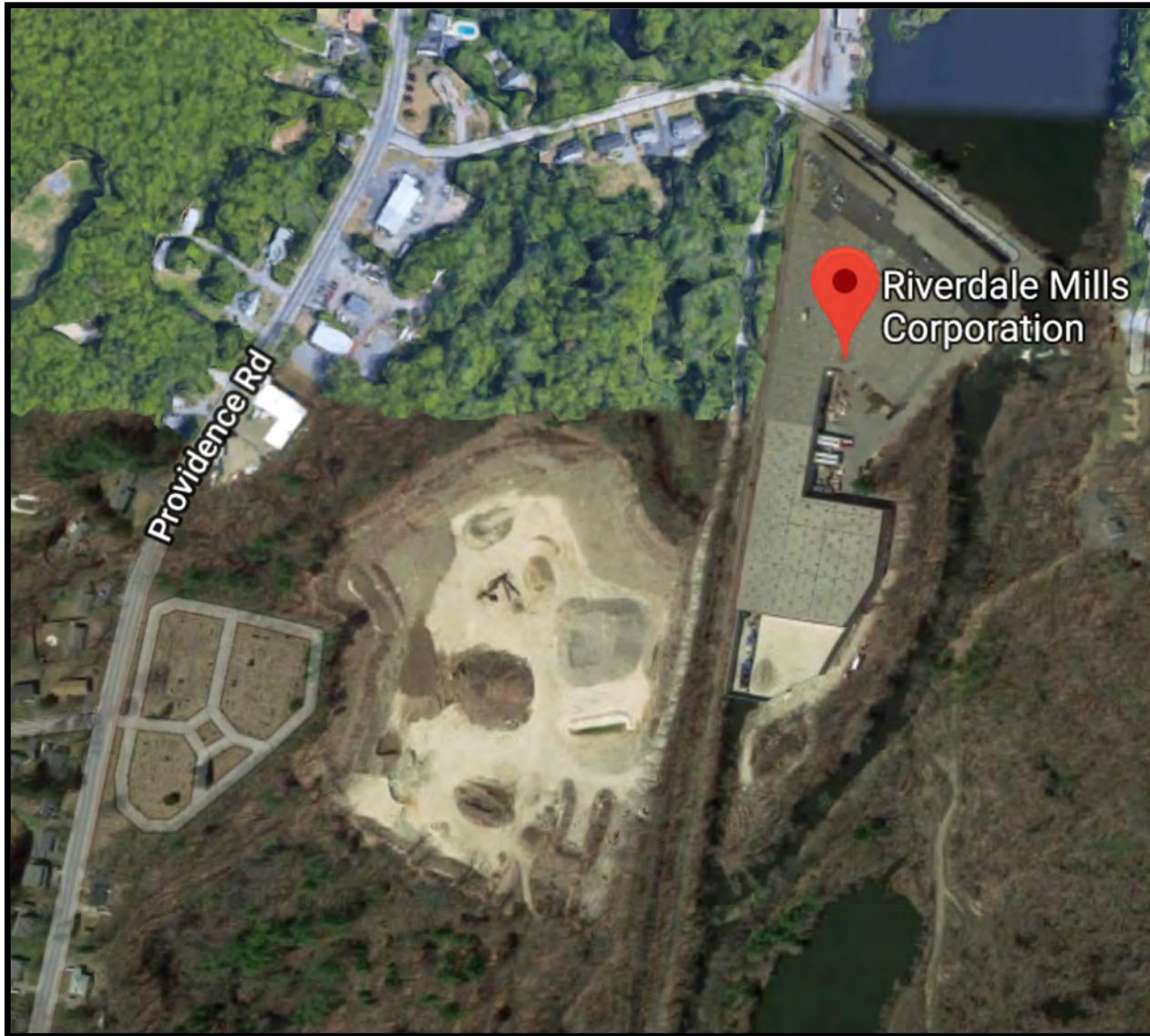


- Two proposed sites available at Riverdale Mills
- 15,000-500,000 sq ft available

Gravel Pit View 1



Gravel Site Map 1



Northbridge Facility View 1



Northbridge Facility View 2



Northbridge Facility View 3

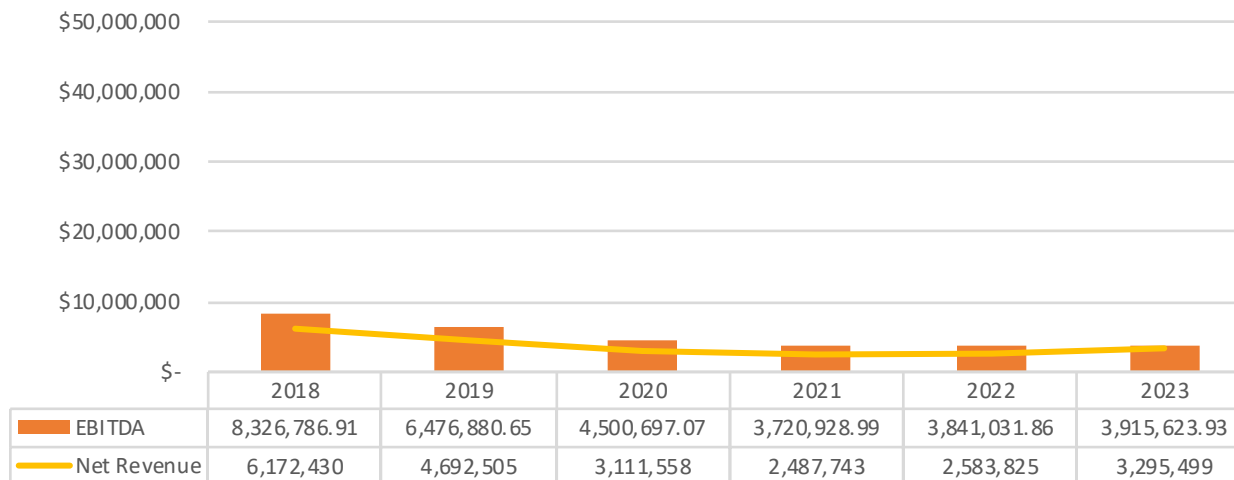


Northbridge Facility View 4

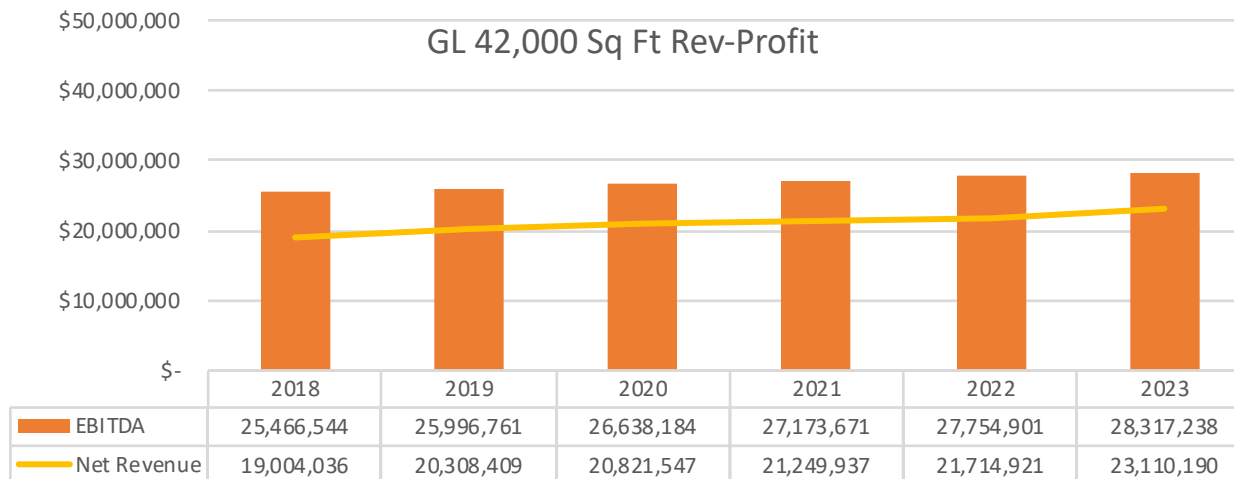


Revenue Estimates By Size

GL 15,000 Sq Ft Rev-Profit



GL 42,000 Sq Ft Rev-Profit



Common Misconceptions

Myth: Voting "No" on this article will stop cannabis in town.

Fact: This is not a vote for cannabis. The state has already made cannabis legal and the town of Northbridge voted in favor of legalization. We obviously support the cannabis community, but our initiative is to help bring economic benefits to the town through a zoning change. It is not to legalize cannabis in the town.

Common Misconceptions Con't

Myth: “This facility is going to stink”

Fact: Cannabis cultivation facilities have some of the world's most stringent ventilation and air filtering systems. If one bug were to get into a crop, it could damage millions of dollars worth of product. Also humidity is one of the most strictly monitored conditions for the plant. These buildings are air tight. Nothing gets in and nothing gets out. No smell.

Common Misconceptions Con't

Myth: It's a manufacturing facility its loud.

Fact: The rezoning is for light industrial not heavy.
The only noise you are going to hear is the sound of plants growing and drying under lights.

Common Misconceptions Con't

Myth: There are going to be even more loud trucks coming up and down the roads of Northbridge

Fact: Even at full capacity the facility will only harvest an estimated 18,000 lbs of product a year. For comparison the gravel pit removed over 50,000 cubic yards of gravel in 2017. That is estimated 150,000,000 lbs of material!!! This facility, if anything, should drastically reduce the traffic of large trucks.

Common Misconceptions Con't

Myth: There are going to be even more loud trucks coming up and down the roads of Northbridge

Fact: Even at full capacity the facility will only harvest an estimated 18,000 lbs of product a year. For comparison the gravel pit removed over 50,000 cubic yards of gravel in 2017. That is estimated 150,000,000 lbs of material!!! This facility, if anything, should drastically reduce the traffic of trucks.

Common Misconceptions Con't

Myth: People are just going to be smoking pot on the site.

Fact: No employees will be permitted to smoke on site nor sample product. This is a grow site only. Retail will be established somewhere else.

The Truth

- If the rezoning is successful, this site could create 20+ new jobs for the people of Northbridge
- It is less intrusive on the town than the current and future options proposed for the site
- It will generate tens of thousands of dollars in tax revenue for the town. The total economic impact could be hundreds of thousands, if not millions, of dollars for the town.
- It will be a quiet, odorless, ascetically pleasing box that generates jobs and money for Northbridge.

Application Process: Next Steps

- Rezoning of proposed site
- Community outreach event
- Community host agreement
- Approval of final designs
- Submit pack to CCC



**TOWN OF NORTHBRIDGE
PLANNING BOARD**
7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588

D.b.

PHONE: (508) 234-2447

FAX: (508) 234-0814

October 11, 2018

Doreen A, Cedrone, Town Clerk
Northbridge Memorial Town Hall
7 Main Street, Whitinsville, MA 01588

RE: 2018 FALL ANNUAL TOWN MEETING –PLANNING BOARD RECOMMENDATION
Article # 9 –Zoning Bylaw Amendment
Amend Zoning from R3 to B2 [Church Street -AP 14/58, 59 & 214]

Dear Mrs. Cedrone:

Please be advised at its meeting of Tuesday, September 25, 2018, the Planning Board upon motion duly made (H. Berkowitz) and seconded (J. Berkowitz) voted (3-0) to RECOMMEND and support petition article to amend the zoning designation of Assessor Map 14 Parcel(s) 58, 59 & 214 [Church Street] from Residential-Three (R3) to Business-Two (B2).

The Planning Board shall offer its Report & Recommendation at the Fall Annual Town Meeting scheduled for Tuesday, October 23, 2018. Should you require additional information concerning this matter please contact the Planning Office.

Sincerely,

R. Gary Bechtholdt II
Northbridge Town Planner

Cc: Town Manager/BOS
Bldg. Insp.
Petitioner
/File

Melissa Wetherbee

From: Adam Gaudette
Sent: Thursday, October 11, 2018 12:03 PM
To: Melissa Wetherbee
Subject: FW: Crootof & Sawyer Ventures, LLC's EDIP Letter of Intent

Melissa, can you include the email below in the BoS packet for Paw Steps? Thanks

From: Gary Bechtholdt
Sent: Thursday, October 11, 2018 11:58 AM
To: Adam Gaudette <agaudette@northbridgemass.org>; Melissa Wetherbee <mwetherbee@northbridgemass.org>
Cc: Sharon Susienka <ssusienka@northbridgemass.org>; Robert Fitzgerald <rfitzgerald@northbridgemass.org>
Subject: RE: Crootof & Sawyer Ventures, LLC's EDIP Letter of Intent

Adam:

It is my understanding once the town (Town Meeting action) approves of the STA -the agreement needs to be reviewed and approved by the State -EACC (Economic Assistance Coordinating Council)

The EACC (an arm of MOBD -Mass Office of Business Development) is comprised of 14 voting members that include public officials and appointees by the Governor.

I believe, pursuing a Local Incentive Only (in this instance) -it is up to the town and company to negotiated the STA.

In communicating with Debra Boronski, MOBD Regional Director -the EACC is very likely to support the town in offering the STA.

The Business will need to fill out (should completed) a Local Incentive Only Application and provided a Letter of Intent to the town (with copy to our Regional Director)

Not sure when the EACC is scheduled to meet next or timing after Town Meeting -the Business should continue to coordinate with Debra Boronski concerning next steps.

I hope you find this information helpful.

-Gary

R. Gary Bechtholdt II
Northbridge Town Planner

COMMUNITY PLANNING & DEVELOPMENT

Aldrich School -Town Hall Annex
14 Hill Street (508) 234-2447

Northbridge Memorial Town Hall
7 Main Street, Whitinsville MA 01588
www.northbridgemass.org

From: Adam Gaudette
Sent: Thursday, October 11, 2018 11:27 AM
To: Melissa Wetherbee <mwetherbee@northbridgemass.org>
Cc: Sharon Susienka <ssusienka@northbridgemass.org>; Robert Fitzgerald <rfitzgerald@northbridgemass.org>; Gary Bechtholdt <gbechtholdt@northbridgemass.org>
Subject: FW: Crootof & Sawyer Ventures, LLC's EDIP Letter of Intent
Importance: High

Melissa, for the BoS packets Monday night. Thanks

Gary and Bob, please provide any feedback to me before Monday night, as to the process, the values, or other

Thanks

From: Avril Waye <avril@knapiklaw.com>
Sent: Thursday, October 11, 2018 11:24 AM
To: Adam Gaudette <agaudette@northbridgemass.org>
Cc: 'Rob Knapik' <rob@knapiklaw.com>
Subject: RE: Crootof & Sawyer Ventures, LLC's EDIP Letter of Intent

Good morning:

Please give the BoS the attached.

Thank you,

Avril

Avril K. Waye, Esquire
Law Office of W. Robert Knapik, P.C.
1279 Providence Road
Whitinsville, MA 01588
(508) 234-3301
(508) 234-2201 (Facsimile)
avril@knapiklaw.com
<http://knapiklaw.com/>

This message and any attached documents contain information which may be confidential, subject to privilege or exempt from disclosure under applicable law. These materials are intended only for the use of the intended recipient. If you are not the intended recipient of this transmission, you are hereby notified that any distribution, disclosure, printing, copying, storage, modification or the taking of any action in reliance upon this transmission is strictly prohibited. Delivery of this message to any person other than the intended recipient shall not compromise or waive such confidentiality, privilege or exemption from disclosure as to this communication. If you have received this communication in error, please immediately notify the sender and delete the message from your system.

Crootof & Sawyer Ventures, LLC

1700 Providence Road
Northbridge, Massachusetts 01534

September 24, 2018

Thomas J. Melia, Chairman
Northbridge Board of Selectmen
Northbridge Town Hall
7 Main Street
Whitinsville, MA 01588

***Re: Intent to Apply For Massachusetts Economic Development
Program (EDIP) in Northbridge, Massachusetts***

Dear Chairman Melia:

This letter is Crootof & Sawyer Ventures, LLC's letter of intent as required pursuant to the Economic Development Incentive Program (EDIP).

On August 3, 2018, Dr. Sean D. Sawyer of Crootof & Sawyer Ventures, LLC ("Crootof & Sawyer") met with R. Gary Bechtholdt II, Town Planner, to discuss the EDIP Program and the various incentives available.

Crootof & Sawyer intends to lease space to PawSteps Veterinary Center, Inc. ("PawSteps") and Crootof Sawyer Kennels, LLC dba The Valley Pet Resort & Spa (the "Pet Resort"), each of which is wholly owned by Dr. Sean D. Sawyer and his partner, Dr. Mark Crootof. Crootof & Sawyer was formed in Massachusetts in 2016 to purchase, renovate, and manage the property known as and numbered 18 & 28 Granite Street in Whitinsville (the "Property"), formerly known as the Whitinsville Medical Center of Milford Regional Hospital. The Property would be a new location for the existing business PawSteps (formed in Massachusetts in 2007, and opened in 2008) and the new business the Pet Resort (Crootof Sawyer Kennels, LLC was formed in Massachusetts in 2017, and the Pet Resort is projected to open in 2018). The Property has required extensive renovations, both expected and unexpected, to create a safe, code compliant, and comfortable facility to care for the pets and pet owners of the Northbridge and Blackstone Valley community. We hope to be opening our doors later this year.

Thomas J. Melia, Chairman
Northbridge Board of Selectmen
September 24, 2018
Page 2

Our renovations of the Property will put a large, centrally-located, and neglected old hospital back into functional use with at least two community-enhancing and job-providing local businesses. Thirteen full-time employees from PawSteps will transfer from the existing Northbridge location to the Property. We anticipate an additional two full-time hires in 2018, and three to four additional full-time hires every year for the next several years as PawSteps expands its services. Our goal is to expand the general practice schedule of PawSteps and provide veterinary urgent care and mobile care to Northbridge and the greater Blackstone Valley. We anticipate that the Pet Resort will hire four full-time employees its first year, four full-time employees the second year, and an additional one to two full-time employees each for the next several years, until the Pet Resort reaches full capacity for Dog Daycare, Pet Boarding, and Pet Grooming. In addition, we expect this location to become the primary host site for the Blackstone Valley Regional Vocational Technical High School's proposed Veterinary Assistant Program that is planned for 2019. PawSteps and the Pet Resort will serve as an educational center, and also a place of part-time and seasonal employment for many of these students.

To date, Crootof & Sawyer has invested approximately \$2,300,000.00 into the purchase and renovation of the Property, with PawSteps and the Pet Resort each investing an additional \$100,000.00 for new equipment. Due to unexpected challenges associated with building renovations in the area of earthquake safety, ADA compliance, and the mechanicals of the building, and an unavoidable three month delay, our total investment has exceeded our projections by approximately \$300,000.00. Any assistance would greatly improve our prognosis for success; if it were not for the incentives available through the EDIP Program, it may not be possible to complete the project as planned.

Crootof & Sawyer is therefore requesting that you accept this letter as the formal letter of intent required under the Economic Development Incentive Program (EDIP).

Sincerely,


By W. Robert Knapik, Attorney-in-Fact
Dr. Mark Crootof, Manager

Sincerely,


By W. Robert Knapik, Attorney-in-Fact
Dr. Sean D. Sawyer, Manager

cc: EDIP Director
Regional Director
Adam Gaudette, Town Manager
R. Gary Bechtholdt II, Town Planner

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

*FY2018 Tax Rate

Total Yearly Value of Local Tax Incentives minus PILOT = _____

SPECIAL TAX ASSESSMENT AGREEMENT

Town of Northbridge, Massachusetts

and

Crootof & Sawyer Ventures, LLC

This Agreement is made this ____ day of _____, 2018, by and between the TOWN OF NORTHBRIDGE, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at Town Hall, 7 Main Street, Whitinsville, Massachusetts 01588, acting through its Board of Selectmen (the "TOWN"), and CROOTOF & SAWYER VENTURES, LLC, a limited liability company duly organized under the laws of the Commonwealth of Massachusetts, having a usual place of business at 1700 Providence Road, Northbridge, Massachusetts 01534 (the "COMPANY").

WHEREAS, the COMPANY owns certain real estate located at 18 & 28 Granite Street (the "PROPERTY"), and the COMPANY will improve the PROPERTY and wishes to obtain certain exemptions from property taxation from the TOWN on the investment in the PROPERTY in order to benefit the COMPANY; and

WHEREAS, the COMPANY and/or affiliated entities intend to expand and maintain their operations at the PROPERTY; and

WHEREAS, the TOWN is willing to grant said exemption from property taxes in return for a guarantee of capital investment in the PROPERTY and for the investment in new equipment and providing employment opportunities for workers within the TOWN by the COMPANY and/or affiliated entities;

NOW, THEREFORE, in consideration of mutual promises contained herein, the parties do mutually agree as follows:

THE COMPANY'S OBLIGATIONS:

1. The COMPANY shall invest approximately \$2,300,000.00 in the acquisition of the Property and building renovations, and the Company and/or affiliated entities shall invest approximately \$200,000.00 in equipment. Building renovations will include earthquake safety, ADA compliance, and upgrades to the mechanicals.
2. The COMPANY and/or affiliated entities shall maintain veterinary, dog daycare, pet boarding, and pet grooming operations at the PROPERTY for at least a five-year term from the date of execution of

this agreement.

3. The COMPANY and/or affiliated entities shall operate the businesses described in the Economic Development Incentive Program (EDIP) Local Incentive Only Application at the PROPERTY as long as the Special Tax Assessment is in place.
4. The COMPANY and/or affiliated entities shall retain 13 existing employees and shall increase their workforce at the level described in the Economic Development Incentive Program (EDIP) Local Incentive Only Application
5. The COMPANY and/or affiliated entities shall make reasonable efforts to hire qualified residents of the TOWN for any employment opportunities which become available during the period of this Agreement.
6. The COMPANY shall further adopt as its policy to cooperate with the Executive Office of Labor and Workforce Development of the Commonwealth of Massachusetts, Blackstone Valley Regional Vocational Technical High School, and other available resources within the TOWN and surrounding communities to train and recruit residents of the TOWN and the Blackstone Valley whenever feasible.
7. The COMPANY shall make reasonable efforts to use local contractors for any renovations or construction on the PROPERTY, and to use local contractors which have registered apprenticeship programs with the State to encourage the training of a skilled workforce.
8. The COMPANY shall cooperate with monitoring requirements by supplying information on job creation and investment on an annual basis as requested by the TOWN or the Economic Assistance Coordinating Council (EACC).
9. If the COMPANY and/or affiliated entities fail to meet their obligations specified in paragraphs 1 through 8 above, the TOWN, acting through its Board of Selectmen, may take action to request decertification of the project by the EACC. Prior to taking any action to request such decertification, the TOWN shall give written notice of the alleged default to the COMPANY and an opportunity to meet with Town Officials to discuss a cure for the alleged default. The COMPANY shall have 30 days after receipt of written notice from the TOWN to respond to the TOWN regarding the alleged default, and 120 days thereafter to remedy such default. If the project is decertified, the TOWN shall discontinue the Special Tax Assessment benefits,

commencing with the first fiscal year in which the project is decertified, or if such benefits have already been received by the COMPANY for the fiscal year in which the project has been decertified, then commencing the following fiscal year.

10. If the COMPANY and/or affiliated entities decide to vacate the PROPERTY or the business, or otherwise transfer control of the business, or to discontinue operations thereof, the COMPANY shall give the TOWN at least three (3) months' notice of said decision. Said notice shall be given by certified mail, return receipt requested, to the Board of Selectmen, Town Hall, 7 Main Street, Whitinsville, MA 01588.

THE TOWN'S OBLIGATIONS:

1. The TOWN shall grant a Special Tax Assessment exemption to the COMPANY in accordance with Massachusetts General Laws, Chapter 23A, Sections 3E-3F, Chapter 40, Section 59, and Chapter 59, Section 5. Said exemption shall be granted on the full assessed value of the PROPERTY and all improvements made to same, and shall be based on the assessed value of the real property for each year in which the exemption applies.
2. Said exemption shall commence beginning in fiscal year 2019 and shall be valid for a period of five (5) years. The amount of the exemption shall be as follows:
 - a. FY 2019: 100% exemption;
 - b. FY 2020: 100% exemption;
 - c. FY 2021: 80% exemption;
 - d. FY 2022: 80% exemption; and
 - e. FY 2023: 60% exemption.

ADDITIONAL PROVISIONS:

1. This agreement shall be binding upon CROOTOF & SAWYER VENTURES, LLC, its successors and assigns.
2. The matters described above as obligations of the COMPANY are only conditions to the eligibility for tax exemptions under this Agreement, and do not create any enforceable obligations or covenants of the COMPANY. The TOWN's sole remedy for failure of the COMPANY to satisfy any of its respective obligations and conditions are set forth in

Paragraph 9 of THE COMPANY'S OBLIGATIONS, above.

3. Should any provision of this Agreement be declared or be determined by a Court of competent jurisdiction to be illegal or invalid, the validity of the remaining parts, terms and provisions shall not be affected thereby and said illegal or invalid part, term, or provision shall be deemed not to be a part of the Agreement.
4. The time within which the Company and/or affiliated entities shall be required to perform any of their respective obligations under this Agreement shall be extended in the event that the performance of such obligations shall be delayed by a Force Majeure Event, which means acts of God, earthquakes, fire, acts of terrorism, war, labor disputes, delays or restrictions by government bodies, or any other cause beyond the reasonable control of the Company and/or affiliated entities.

[Signature Page to Follow]

Executed as a sealed instrument on the day and year first above written.

TOWN OF NORTHBRIDGE

CROOTOF & SAWYER VENTURES, LLC

Thomas J. Melia, Chair
Northbridge Board of Selectmen

Dr. Mark Crootof, Manager

Dr. Sean D. Sawyer, Manager

SPECIAL TAX ASSESSMENT AGREEMENT

Town of Northbridge, Massachusetts

and

Crootof & Sawyer Ventures, LLC

This Agreement is made this ____ day of _____, 2018, by and between the TOWN OF NORTHBRIDGE, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at Town Hall, 7 Main Street, Whitinsville, Massachusetts 01588, acting through its Board of Selectmen (the "TOWN"), and CROOTOF & SAWYER VENTURES, LLC, a limited liability company duly organized under the laws of the Commonwealth of Massachusetts, having a usual place of business at 1700 Providence Road, Northbridge, Massachusetts 01534 (the "COMPANY").

WHEREAS, the COMPANY owns certain real estate located at 18 & 28 Granite Street (the "PROPERTY"), and the COMPANY will improve the PROPERTY and wishes to obtain certain exemptions from property taxation from the TOWN on the investment in the PROPERTY in order to benefit the COMPANY; and

WHEREAS, the COMPANY and/or affiliated entities intend to expand and maintain their operations at the PROPERTY; and

WHEREAS, the TOWN is willing to grant said exemption from property taxes in return for a guarantee of capital investment in the PROPERTY and for the investment in new equipment and providing employment opportunities for workers within the TOWN by the COMPANY and/or affiliated entities;

NOW, THEREFORE, in consideration of mutual promises contained herein, the parties do mutually agree as follows:

THE COMPANY'S OBLIGATIONS:

1. The COMPANY shall invest approximately \$2,300,000.00 in the acquisition of the Property and building renovations, and the Company and/or affiliated entities shall invest approximately \$200,000.00 in equipment. Building renovations will include earthquake safety, ADA compliance, and upgrades to the mechanicals.
2. The COMPANY and/or affiliated entities shall maintain veterinary, dog daycare, pet boarding, and pet grooming operations at the PROPERTY for at least a five-year term from the date of execution of

this agreement.

3. The COMPANY and/or affiliated entities shall operate the businesses described in the Economic Development Incentive Program (EDIP) Local Incentive Only Application at the PROPERTY as long as the Special Tax Assessment is in place.
4. The COMPANY and/or affiliated entities shall retain 13 existing employees and shall increase their workforce at the level described in the Economic Development Incentive Program (EDIP) Local Incentive Only Application
5. The COMPANY and/or affiliated entities shall make reasonable efforts to hire qualified residents of the TOWN for any employment opportunities which become available during the period of this Agreement.
6. The COMPANY shall further adopt as its policy to cooperate with the Executive Office of Labor and Workforce Development of the Commonwealth of Massachusetts, Blackstone Valley Regional Vocational Technical High School, and other available resources within the TOWN and surrounding communities to train and recruit residents of the TOWN and the Blackstone Valley whenever feasible.
7. The COMPANY shall make reasonable efforts to use local contractors for any renovations or construction on the PROPERTY, and to use local contractors which have registered apprenticeship programs with the State to encourage the training of a skilled workforce.
8. The COMPANY shall cooperate with monitoring requirements by supplying information on job creation and investment on an annual basis as requested by the TOWN or the Economic Assistance Coordinating Council (EACC).
9. If the COMPANY and/or affiliated entities fail to meet their obligations specified in paragraphs 1 through 8 above, the TOWN, acting through its Board of Selectmen, may take action to request decertification of the project by the EACC. Prior to taking any action to request such decertification, the TOWN shall give written notice of the alleged default to the COMPANY and an opportunity to meet with Town Officials to discuss a cure for the alleged default. The COMPANY shall have 30 days after receipt of written notice from the TOWN to respond to the TOWN regarding the alleged default, and 120 days thereafter to remedy such default. If the project is decertified, the TOWN shall discontinue the Special Tax Assessment benefits,

commencing with the first fiscal year in which the project is decertified, or if such benefits have already been received by the COMPANY for the fiscal year in which the project has been decertified, then commencing the following fiscal year.

10. If the COMPANY and/or affiliated entities decide to vacate the PROPERTY or the business, or otherwise transfer control of the business, or to discontinue operations thereof, the COMPANY shall give the TOWN at least three (3) months' notice of said decision. Said notice shall be given by certified mail, return receipt requested, to the Board of Selectmen, Town Hall, 7 Main Street, Whitinsville, MA 01588.

THE TOWN'S OBLIGATIONS:

1. The TOWN shall grant a Special Tax Assessment exemption to the COMPANY in accordance with Massachusetts General Laws, Chapter 23A, Sections 3E-3F, Chapter 40, Section 59, and Chapter 59, Section 5. Said exemption shall be granted on the full assessed value of the PROPERTY and all improvements made to same, and shall be based on the assessed value of the real property for each year in which the exemption applies.
2. Said exemption shall commence beginning in fiscal year 2019 and shall be valid for a period of five (5) years. The amount of the exemption shall be as follows:
 - a. FY 2019: 100% exemption;
 - b. FY 2020: 100% exemption;
 - c. FY 2021: 80% exemption;
 - d. FY 2022: 80% exemption; and
 - e. FY 2023: 60% exemption.

ADDITIONAL PROVISIONS:

1. This agreement shall be binding upon CROOTOF & SAWYER VENTURES, LLC, its successors and assigns.
2. The matters described above as obligations of the COMPANY are only conditions to the eligibility for tax exemptions under this Agreement, and do not create any enforceable obligations or covenants of the COMPANY. The TOWN's sole remedy for failure of the COMPANY to satisfy any of its respective obligations and conditions are set forth in

Paragraph 9 of THE COMPANY'S OBLIGATIONS, above.

3. Should any provision of this Agreement be declared or be determined by a Court of competent jurisdiction to be illegal or invalid, the validity of the remaining parts, terms and provisions shall not be affected thereby and said illegal or invalid part, term, or provision shall be deemed not to be a part of the Agreement.
4. The time within which the Company and/or affiliated entities shall be required to perform any of their respective obligations under this Agreement shall be extended in the event that the performance of such obligations shall be delayed by a Force Majeure Event, which means acts of God, earthquakes, fire, acts of terrorism, war, labor disputes, delays or restrictions by government bodies, or any other cause beyond the reasonable control of the Company and/or affiliated entities.

[Signature Page to Follow]

Executed as a sealed instrument on the day and year first above written.

TOWN OF NORTHBRIDGE

CROOTOF & SAWYER VENTURES, LLC

Thomas J. Melia, Chair
Northbridge Board of Selectmen

Dr. Mark Crootof, Manager

Dr. Sean D. Sawyer, Manager

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation (revised per Assessor)

FY	Municipal Tax Rate Per Thousand*	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental Assessed Value	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2019	\$12.94	\$1,355,600.00	\$17,541.46	100%	\$17,541.46	\$0.00	\$17,541.46
2020	\$12.94	\$1,355,600.00	\$17,541.46	100%	\$17,541.46	\$0.00	\$17,541.46
2021	\$12.94	\$1,355,600.00	\$17,541.46	80%	\$14,033.17	\$0.00	\$14,033.17
2022	\$12.94	\$1,355,600.00	\$17,541.46	80%	\$14,033.17	\$0.00	\$14,033.17
2023	\$12.94	\$1,355,600.00	\$17,541.46	60%	\$10,524.88	\$0.00	\$10,524.88
				TOTALS	\$73,674.15	\$0.00	\$73,674.15

*FY2018 Tax Rate

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes may increase much more or much less than the munic

Total Yearly Value of Local Tax Incentives minus PILOT = _____

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation (revised per Assessor, longer term)

FY	Municipal Tax Rate Per Thousand*	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental Assessed Value	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2019	\$12.94	\$1,355,600.00	\$17,541.46	100%	\$17,541.46	\$0.00	\$17,541.46
2020	\$12.94	\$1,355,600.00	\$17,541.46	100%	\$17,541.46	\$0.00	\$17,541.46
2021	\$12.94	\$1,355,600.00	\$17,541.46	80%	\$14,033.17	\$0.00	\$14,033.17
2022	\$12.94	\$1,355,600.00	\$17,541.46	80%	\$14,033.17	\$0.00	\$14,033.17
2023	\$12.94	\$1,355,600.00	\$17,541.46	60%	\$10,524.88	\$0.00	\$10,524.88
2024	\$12.94	\$1,355,600.00	\$17,541.46	60%	\$10,524.88	\$0.00	\$10,524.88
2025	\$12.94	\$1,355,600.00	\$17,541.46	40%	\$7,016.59	\$0.00	\$7,016.59
2026	\$12.94	\$1,355,600.00	\$17,541.46	40%	\$7,016.59	\$0.00	\$7,016.59
2027	\$12.94	\$1,355,600.00	\$17,541.46	20%	\$3,508.29	\$0.00	\$3,508.29
2028	\$12.94	\$1,355,600.00	\$17,541.46	20%	\$3,508.29	\$0.00	\$3,508.29
				TOTALS	\$105,248.78	\$0.00	\$105,248.78

*FY2018 Tax Rate

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes may increase much more or much less than the munic

Total Yearly Value of Local Tax Incentives minus PILOT = _____

Town Manager's Report for the Period of October 1, 2018 – October 12, 2018

1. Meetings Attended:

- Monday, October 1, 2018 – Met with Town Clerk Doreen Cedrone to discuss early voting.
- Monday, October 1, 2018 – Attended the Board of Selectmen Meeting.
- Tuesday, October 2, 2018 – Attended an MMA Fiscal Policy Meeting in Boston.
- Wednesday, October 3, 2018 – Met with NCTV representative Bill Tartaglia.
- Thursday, October 4, 2018 – Attend Representative Muradian's Lunch Event at the Sr Center.
- Tuesday, October 9, 2018 – Meeting with Health Insurance Broker Ken Lombardi from NFP and staff regarding senior renewals which begin January 1, 2019.
- Wednesday, October 10, 2018 – Attended the School Building Committee Community Forum #10.
- Thursday, October 11, 2018 – Met with Chairman Melia to discuss 10.15.2018 meeting.
- Friday, October 12, 2018 – Met with Moderator Gould to prepare for the Fall Annual Town Meeting.

2. **Balmer School Building Project:** The last Community Forum (#10) was held this past Wednesday, October 10th at Balmer Elementary School. There is one more School Building Committee remaining before the Fall Town Meeting and it is scheduled for Tuesday, October 16, 2018 at 6:30 pm in the High School Media Center.
3. **DPW Garage Project:** The "Certificate of Compliance" issued by ConCom was recorded with the Worcester Registry of Deeds. The fire alarm/heat detector/exhaust fan work was completed/tested and the Fire Chief approved same. However, a temporary certificate of occupancy (TCO) extension was issued by the Building Inspector with an expiration date of October 21, 2018. The OPM continues to work with the General Contractor/Engineer-On-Record to finalize the OEM manuals, user-training and project close-out documents. The final certificate of occupancy will be issued after the remaining/open items are completed. These include the Professional Engineering-On-Record affidavits and "as-builts". Upon receipt of these documents/user-training - It is anticipated that the BPCC will review/approve these final documents in Mid-late October.
4. **Fire Station Project (Feasibility Study):** The Town Manager and the Fire Chief have been working with the OPM team from Cardinal on the Site Selection for inclusion in the RFQ for Designer (Architect) Services. The site selection team is narrowing down its site list recommendations for the BPCC.
5. **Fall Annual Town Meeting:** Town Staff continues to prepare for the October 23rd Fall Annual Town Meeting. The Booklets that include the Finance Committee Recommendations have been finalized and sent to the printers.
6. **2020 Budget Development:** Staff has been directed to update their sections of the 5-year capital plan for submission to the BPCC and all capital requests shall be submitted in November. In December staff will be working on department budgets for FY2020 and for submission to the Town Manager in January.