

BOARD OF SELECTMEN'S MEETING

April 11, 2022

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

The Pledge of Allegiance was recited by those present.

APPROVAL OF MINUTES: March 14, 2022. A motion/Mr. Collins, seconded/Mr. Athanas to approve the March 14, 2022 minutes as presented with the readings omitted. Vote yes/Athanas, Ampagoomian, and Collins. Abstain: Selectman Melia

PUBLIC HEARING/none

APPOINTMENTS: By the Town Manager/Vote to affirm: Paul Bessette, Working Foreman, DPW Highway Division/Present: Jamie Luchini, Interim DPW Director. Mr. Luchini stated that Mr. Bessette has been an employee of the DPW for 25 years and he has had the pleasure of working with him for the last nine years and he has stepped up. He is familiar with the job and is familiar with the area. Mr. Bessette looks forward to this opportunity. A motion/Mr. Melia, seconded/Mr. Collins to affirm the Town Manager's appointment of Paul Bessette as Working Foreman for the DPW retroactive to March 13, 2022. Vote yes/Athanas, Ampagoomian, Collins and Melia.

By the Board of Selectmen/Vote to appoint: Green Energy Committee [Selectmen's Representative]. A motion/Mr. Collins, seconded/Mr. Melia to nominate Selectman Athanas as the Selectmen's Representative on the Green Energy Committee. Vote yes/Athanas, Ampagoomian, Collins and Melia.

RESIGNATIONS/Vote to Accept: Patricia Corkum, Cultural Council. A motion/Mr. Collins, seconded/Mr. Melia to accept Ms. Corkum's resignation latter and send a thank you letter for her service. Vote yes/Athanas, Ampagoomian, Collins and Melia.

CITIZENS' COMMENTS/INPUT/None

Spring Annual Town Meeting [Tuesday, May 3, 2022] – Vote positions on all warrant articles. Town Manager Gaudette noted that the Finance Committee has already voted their positions on the articles. **Article 1 (Board of Selectmen) - Prior year bills.** Town Manager Gaudette stated that we have approximately twelve thousand dollars' worth of prior year bills for expense items as well as insurance related items. A motion/Mr. Collins, seconded/Mr. Melia to support article 1. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 2 (Board of Selectmen) - Budget Adjustments.** This will approve amendments to budgets approved at the May 4, 2021 and the October 26, 2021 meetings. A motion/Mr. Collins, seconded/Mr. Melia to support article 2. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 3 (Finance Committee) – FY'23 Omnibus Budget.** This is the overall budget for next year beginning on July 1, 2022 with the amount not to exceed \$50,460,922. A motion/Mr. Melia, seconded/Mr. Athanas to support article 3. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 4 (Board of Selectmen) – Sewer Enterprise Budget.** The Board of Selectmen act as Sewer Commissioners and this article is to approve the Sewer Enterprise budget. A motion/Mr. Melia, seconded/Mr. Collins to support article 4. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 5 (Board of Selectmen) – Water Enterprise.** The Board of Selectmen also act as Water Commissioners, and this article is to approve the Water Enterprise budget. A motion/Mr. Melia, seconded/Mr. Collins to support article 5. Vote

yes/Athanas, Ampagoomian, Collins and Melia. **Article 6 (Board of Selectmen) – Chapter 90 funds.** This will allow us to spend Chapter 90 funds to improve the roads in town. A motion/Mr. Melia, seconded/Mr. Athanas to support article 6. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 7 (Board of Selectmen) – Compensating Balances Agreements.** This will allow the Treasurer/Collector to enter into compensating balance agreements. A motion/Mr. Melia, seconded/Mr. Athanas to support article 7. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 8 (Board of Selectmen) – Revolving Funds.** This will set the spending limits for the revolving funds in FY23. There are no changes to the amounts from last year. A motion/Mr. Melia, seconded/Mr. Athanas to support article 8. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 9 (Board of Selectmen) - Pine Grove Cemetery.** This is to transfer funds from the Pine Grove Trust to operate the cemetery in FY23. A motion/Mr. Melia, seconded/Mr. Athanas to support article 9. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 10 (Community Preservation)** – This article will disburse the funds received from taxes into the reserve accounts. A motion/Mr. Melia, seconded/Mr. Athanas to support article 10. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 11 (Community Preservation Committee)** – This article will approve the spending of funds for administrative tasks. A motion/Mr. Melia, seconded/Mr. Athanas to support article 11. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 12 (Community Preservation Committee)** – This article contributes funds to renovate the Linwood Basketball complex. Selectman Collins asked if this were being done in house or if it would go out to bid. Town Manager Gaudette replied that the total project is about \$600,000 dollars, and we have an architect who will assist in putting together the bids and specs. A motion/Mr. Melia, seconded/Mr. Athanas to support article 12. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 13 (Board of Health)** – Funds for the Quaker Street Landfill to meet DEP action plan requirements. A motion/Mr. Melia, seconded/Mr. Athanas to support article 13. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 14 (Board of Selectmen)** – For improvements at Pine Grove Cemetery. A motion/Mr. Melia, seconded/Mr. Athanas to support article 14. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 15 (Board of Selectmen)** – Sewer Enterprise for funding of programs and/or improvements. A motion/Mr. Melia, seconded/Mr. Athanas to support article 15. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 16 (Board of Selectmen)** – Water Enterprise to fund water main improvements in Linwood Avenue, Court Street, and Edgemere Avenue. A motion/Mr. Athanas, seconded/Mr. Melia to support article 16. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 17 (Board of Selectmen)** - Town Building Maintenance Fund. A motion/Mr. Athanas, seconded/Mr. Melia to support article 17. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 18 (School Committee)** - Building Maintenance Funds for improvements at the Schools. A motion/Mr. Athanas, seconded/Mr. Melia to support article 18. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 19 (Board of Selectmen)** – Capital Projects such as the Linwood Basketball courts and other purchases like equipment and repairs. A motion/Mr. Athanas, seconded/Mr. Melia to support article 19. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 20 (Board of Selectmen)-** Capital Projects funded from surplus accounts. A motion/Mr. Athanas, seconded/Mr. Melia to support article 20. Vote yes/Athanas, Ampagoomian, Collins and Melia. **Article 21 (Board of Selectmen)** – Approximately \$4.3 million in additional funds for the Fire Station project. A motion/Mr. Athanas, seconded/Mr. Melia to support article 21. Vote yes/Athanas, Ampagoomian, Collins and Melia. Selectmen Melia asked what happens if the amount comes in over \$4.3 million. Town Manager Gaudette explained that they have a meeting scheduled ahead of town meeting for any amendments that need to be made. **Article 22 (Finance Committee)** – This article will transfer any remaining funds into stabilization. Town Manager Gaudette noted that we will likely recommend passing over this article. The Finance Committee will wait until the night of Town meeting to make a recommendation. The Board of Selectmen chose to do the same.

Terri Powell, Race Director/Request to hold the 34th Annual Whitin Five Mile Road Race, at 8:10 AM, Thursday, November 24, 2022, and subject to the safety requirements of the Northbridge Police Department. A motion/Mr. Melia, seconded/Mr. Collins to approve Ms. Powell's request to hold the 34th Annual Whitin Five Mile Road Race, at 8:10 AM, Thursday, November 24, 2022, and subject to the safety requirements of the Northbridge Police Department. Vote yes/Athanas, Ampagoomian, Collins and Melia.

Soorp Asdvadzadzin Armenian Apostolic Church/Request to hang a banner across Church Street from Sunday, April 17, 2022 until Sunday, May 1, 2022 to commemorate the Armenian Genocide on April 24, 2022. A motion/Mr. Collins, seconded/Mr. Melia to approve the request to hang a banner across Church Street from Sunday, April 17, 2022 until Sunday, May 1, 2022 to commemorate the Armenian Genocide on April 24, 2022. Vote yes/Athanas, Ampagoomian, Collins and Melia.

Central Mass. Regional Planning Commission (CMRPC) - Northbridge's MBTA Communities Briefing Session/Present: Trish Settles, CMRPC. Mr. Bechtholdt, Town Planner, introduced Trish Settles from CMRPC. He referred the Board to a letter from the Executive Office of Housing and Economic Development regarding the Economic Development package that was signed into law, which enables municipalities to adopt zoning measures that promote housing by a simple majority vote. Also included in the packet is the residentially zoned districts. Ms. Settles explained that Northbridge is an MBTA community, which are communities that border the MBTA Commuter rail stations. As a result of that, the economic bond bill that was passed presents new requirements for those MBTA communities, one of which is new compliance with Section 3A of Chapter 40A. Tonight's briefing is one of two parts of an interim compliance of the regulations, which is in draft format. House Bill No. 5250, an act enabling partnerships for growth, passed in December 2020, and was signed by Governor Baker in January 2021. The housing provisions included in the bill were Housing Choice Zoning Reforms, \$50M for Transit-Oriented Housing Development, \$50M for Neighborhood Stabilization and \$10M for Climate-Resilient Affordable Housing Production. Section 18 of the Economic Development Bill includes section 3A which encourages designated MBTA communities to adopt zoning districts where multi-family zoning is permitted by-right, plus meet other requirements set forth in the statute. Ms. Settles pointed out that the regulations are still in draft format and final comments were due to DHCD on March 31, 2022. Furthermore, she explained the language of the act, which says an MBTA community shall have a zoning ordinance or bylaw that provides for at least 1 district of reasonable size in which multi-family housing is permitted, without age restrictions, and must be suitable for families with children. It shall have a minimum gross density of 15 units per acre, located not more than .5 mile from a commuter rail station, subway station, ferry terminal or bus station. Ms. Settles reported that communities that do not comply with this section will not be eligible for funds for things like pothole and road repairs, MassWorks, Housing Choice and other grants. The draft guidelines specifically address what it means to permit multi-family housing "as of right"; metrics to determine "reasonable size"; how to determine if a multi-family district has a minimum gross density of 15 units per acre, clarifications on age restrictions and suitability for families and children; and extend to which MBTA communities have flexibility to choose the location of a multi-family district. Ms. Settles reiterated that the draft guidelines are not a mandate for a production, and do not say you have to build 750 units, you just need to create a zone that would allow for it. Ms. Settles then reviewed the details of the bill. 1) allowing Multi-family housing "As of Right": the construction and occupancy of multi-family housing is allowed in the district without the need to obtain any discretionary permit or approval; site plan review and approval may be required for multi-family uses allowed by right; site plan approval may regulate matters such as vehicular access and circulation on a site, architectural design of a building, and screening of adjacent properties; site plan review cannot impose conditions that make it infeasible or impractical to proceed with multi-family use. 2) determining "reasonable size" – a. Minimum Land Area: at least 50 acres of the land within .5 mile of a transit station; overlay districts are acceptable as long as they do not consist of a collection of small, non-contiguous acres; at least one portion of the overlay district must include 25 contiguous acres; no portion of the district less than 5 acres will count toward the minimum size requirement. b. Minimum Multi-Family Unit Capacity: the district must be capable to accommodate a reasonable number of multi-family housing units as of right; the minimum capacity for adjacent communities is 10% of the Town's overall housing stock, which is just shy of 7,000 units. When communities estimate how many units could be constructed on each parcel of developable land within the district, the estimate should take into account the amount of developable land, height limitations, lot coverage limitation, maximum floor area ratio, setbacks, parking space requirements, and other restrictions of bylaws. Unit capacity is not a mandate to construct a specific number of housing units nor is it a housing

production target. 3) Minimum Gross Density - a. District-wide Gross Density: zoning must legally and practically allow for a district-wide gross density of 15 units per acre. An MBTA community may establish sub-districts within a multi-family district with different density requirements and limitations for each sub-district, provided that the gross density for the whole district meets the 15 multi-family unit per acre requirement. Ms. Settles reported that there is a chance that we are in compliance if not close to compliance with our R-5 district. CMRPC will work with the Planning Board to review the R-5 districts once the guidelines are finalized, to figure out if that district meets the requirements. In Northbridge, the unit capacity calculation is 614 units, the gross density requirement is 750 units under the draft guidelines. 4) Determining Suitability for Families with Children: the multifamily district zoning cannot include units with age restrictions and cannot place or limit restrictions on the size of units, number of bedrooms, size of bedrooms, and number of occupants. 5) Location of Districts: the MBTA communities with some land area within .5 miles of a transit station, which Northbridge does not fall under. Ms. Settles explained that there are two levels of compliance and since we are waiting for the full compliance, they are targeting the interim compliance. This states that a community may receive a determination of interim compliance for a limited amount of time to allow the community to plan for and pass a multi-family district to achieve full compliance. The MBTA Community must notify DHCD that it is not yet compliant and create a proposed action plan and timeline for activities it intends to undertake in order to adopt a multi-family district. Ms. Settles moved on to the compliance timeline. March 31, 2022 was the deadline for public comments on the draft guidelines, which they received a number of comments from our region, regarding incrustations limitations and concern of lack of suitability. The briefing is tonight, in advance of the May 2, 2022, deadline. Also, by May 2, 2022, we will need to submit a community information form. December 31, 2022 is the deadline for the interim compliance and we will need to submit an application for a determination of compliance as set forth in section 9(a) of the guidelines; notify DHCD that you have no existing multi-family district that fully complies with these guidelines. July 1, 2023 is the deadline for DHCD approval of an action plan. This will consist of creating a bylaw, which will amend or tweak the zoning to get us where need to be, and from there the application would be submitted for the determination for compliance. December 31, 2023 is the deadline for adopting new zoning. March 31, 2024 is the deadline to apply for determination of compliance. If the town is not in compliance, we will not be eligible to apply for funds from Housing Choice, Local Capital Projects Funds; and MassWorks Infrastructure Program. CMRPC has set aside funding to assist their communities with compliance. The next steps for compliance this year consists of completing the Community Information Form, comments on the draft guidelines will be reviewed by the State, with final guidelines being released in late spring/early summer. By December 31st Northbridge must either submit a request for determination of compliance or notify DHCD that there is no existing district that complies with the guidelines and submit a proposed action plan. Ms. Settles then reviewed resources, which are available for viewing in the PowerPoint presentation of the agenda packet. Mr. Bechtholdt reiterated that this public forum currently underway is the first step. The second step will be to submit the form in the coming weeks. He noted that in the packet there is a map showing the districts, and he pointed out the R-5 district, which is located in New Village and consists of 145 acres, where multi-family housing dwelling units are currently allowed by right at a density of over 20 units per acre. Mr. Bechtholdt recapped that this is a state mandate, and it is required to have multi-family zoning to address the housing shortage. Selectman Athanas asked how many opportunities for grants would the town miss out on if the town does not come into compliance with these regulations, and asked if we have received any funding from these grants in the past. Mr. Bechtholdt replied that we have not received a MassWorks grant, but we have applied, and he felt as though we were very competitive, but were not fortunate enough to receive them. He is not familiar with the other three grant agencies. Selectman Collins questioned what the timeline is for verifying that we qualify with DHCD. Mr. Bechtholdt replied that CMRPC will need to finalize their draft, but at this point there is no one to submit it to. Selectman Melia felt as though Northbridge was in better shape than the surrounding towns with the New Village area and sections of multi-family housing in Rockdale. He then asked what would happen if at the town meeting the voters opt not to pass the article. Mr. Bechtholdt explained that prior to last year, zoning articles related to housing

required a 2/3 vote, the state has now changed that regulation to be a simple majority. Mr. Bechtholdt reiterated that they would be before the Board again with an update.

TOWN MANAGER'S REPORT: Key Meetings Attended: Monday, March 28, 2022 – Weekly Fire Station Conference Call with Design Team. Tuesday, April 5, 2022 – Met with Sewer Superintendent Mark Kuras who announced his plan to retire after 41 years of service to the Town. Thursday, April 7, 2022 – Met with State Representative David Muradian to discuss State Budget and Projects. Friday, April 8, 2022 – Met with DPW Staff and CDM Smith to discuss flow capacity study at WWTP. **Fire Station Project:** The General bid has been advertised as plans are at 100%. A set is on the table in the Selectmen's Room for viewing. The subcontractor bids will be due April 14th and the general contractor bids will be due April 28th so that final numbers are available for Town Meeting. The Town Manager will hold a Public Forum on the project on Wednesday, April 27th at 7 pm. **Northbridge Elementary School Reuse Study:** The BPCC has selected Abacus Architects to perform the study. The next step is to enter into an agreement and issue a Notice to Proceed. A project kick-off meeting will take place with the BPCC on April 13th. **Fire Department Radio Communications Study:** Chief White and Chief Labrie are working with the firm CTA on the project which is on-going. **Fire Department Strategic Plan:** The Fire Chief and staff continue to work with the consultant CPSM for this project which is on-going. **American Rescue Plan Act (ARPA):** Now that the recommended Funding Project Plan has been approved, projects are able to move forward. The Town Manager is putting together contracts with the non-profits and departments will need to coordinate necessary procurements. **FY2023 Budget and SATM Warrant:** The Warrant for Town Meeting has been posted following Town Counsel's Review. In addition, the Town Clerk has been notified of the Ballot Questions for the Town Election in May. Town Manager Gaudette announced that they will be holding a public forum on the ballot questions on Wednesday, April 27, 2022 at 7 PM here in the Board of Selectmen's meeting room. Any residence with questions should plan to attend.

SELECTMEN'S CONCERNS/None
ITEMS FOR FUTURE AGENDA/None
CORRESPONDENCE/None
EXECUTIVE SESSION/None

A motion/Mr. Collins, seconded/Mr. Athanas to adjourn the public meeting. Vote yes/Board members: Ampagoomian, Athanas, Collins and Melia.

Meeting Adjourned: 7:52 PM

Respectfully submitted,

Russell D. Collins, Clerk

/mjc

**LIST OF DOCUMENTATION
BOARD OF SELECTMEN'S MEETING - OPEN SESSION
April 11, 2022**

- I. APPROVAL OF MINUTES: A. March 14, 2022**
 - Copy of March 14, 2022 meeting minutes
- II. PUBLIC HEARING/None**
- III. APPOINTMENTS: B. By the Town Manager/Vote to affirm: Paul Bessette, Working Foreman, DPW Highway Division/Present: Jamie Luchini, Interim DPW Director**
 - Copy of appointment letter to Paul Bessette
 - C. By the Board of Selectmen/Vote to appoint: Green Energy Committee [Selectmen's Representative]/No documentation**
 - D. RESIGNATIONS/Vote to Accept: Patricia Corkum, Cultural Council**
 - Copy of resignation letter from Patricia Corkum
- IV. CITIZENS' COMMENTS/INPUT**
- V. DECISIONS:**
 - E. Spring Annual Town Meeting [Tuesday, May 3, 2022] – Vote positions on all warrant articles**
 - Copy of warrant positions
 - Copy of Spring Annual Town Meeting Warrant articles
 - F. Terri Powell, Race Director/Request to hold the 34th Annual Whitin Five Mile Road Race, at 8:10 AM, Thursday, November 24, 2022, and subject to the safety requirements of the Northbridge Police Department**
 - Copy of letter requesting the road race
 - Copy of map of road race
 - Copy of approval from the Interim DPW Director
 - Copy of approval from the Chief of Police
 - G. Soorp Asdvadzadzin Armenian Apostolic Church/Request to hang a banner across Church Street from Sunday, April 17, 2022 until Sunday, May 1, 2022 to commemorate the Armenian Genocide on April 24, 2022**
 - Copy of email request to hang a banner
- VI. DISCUSSIONS**
 - H. Central Mass. Regional Planning Commission (CMRPC) - Northbridge's MBTA Communities Briefing Session/Present: Trish Settles, CMRPC**
 - Copy of letter from Housing and Economic Development regarding a bill for housing choice zoning
 - Copy of zoning layout and use regulation
 - Copy of PowerPoint presentation
- VII. TOWN MANAGER'S REPORT/No documentation**
- VIII. SELECTMEN'S CONCERNS**
- IX. ITEMS FOR FUTURE AGENDA/None**
- X. CORRESPONDENCE/None**
- XI. EXECUTIVE SESSION/None**