

April 26, 2021

**Board of Selectmen
April 26, 2021
Town Hall**

Present:

Mary Blanchard, Chair
Selectman Chase Kaitbenski
Selectman Jamie Goodwin

Absent:

Mary Dowling, Vice Chair
Selectman Ian Dunnigan

Staff:

Jeff Bridges, Town Administrator
Alex McConnon, Executive Assistant

Chair Blanchard called the meeting to order at 6:36 p.m.

The Selectmen led the Pledge of Allegiance.

Chair Blanchard read the agenda.

Review FY 2022 Town Budget

Review of the 2021 Annual Town Meeting Warrants for the Annual Town Meeting on June 7, 2021 and the Special Town Meeting Warrants

Motion: Open the warrant article.

By: Selectman Kaitbenski

2nd: Selectman Goodwin

Vote: 3-0

Selectman Kaitbenski read the following statement: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting law, G.L. c. 30A Section 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number people that may gather in one place, this meeting of the Sturbridge Board of Selectmen will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation can be found on the Town's website at <https://www.sturbridge.gov/town-administrator/pages/how-access-virtual-meeting>. For this meeting, members of the public who wish to listen and or watch the meeting either online via the Town's on demand video broadcast, on cable television on channel 191, or dial into the meeting at 774-304-1455, enter 1428# for the meeting number and 12345 for the access code. (This phone

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number is only active for the public during public meetings). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.

Chair Blanchard asked Jean Bubon, Town Planner to give her an overview of the Zoning articles.

ARTICLE #36: READOPTION OF ZONING BYLAWS:

Ms. Bubon said this article is part of the codification project and the purpose of it was to clean up all of the general and zoning bylaws, regulations, and the charter. Per Ms. Bubon, there was a similar earth removal bylaw in both the zoning and general bylaw, which said different things. The earth removal bylaw was edited so that both versions are consistent. Ms. Bubon said this article will accept the renumbering of the recodification.

Motion: To place and support.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

ARTICLE #37: AMENDMENT TO THE ZONING BYLAWS FOR ACCESSORY DWELLINGS (2/3 VOTE REQUIRED):

Ms. Bubon said they recently completed an update of their housing production plan, which was adopted by the Planning Board and the Board of Selectmen and was recently approved by the Department of Housing Community Development. Per Ms. Bubon, during the planning process, they had housing forums before COVID-19 and submitted surveys. Ms. Bubon stated that people wanted flexibility with creating accessory dwelling units and the current bylaw is outdated with the maximum size for an accessory unit being only 600 square feet or 20% of the square footage of the home whichever is less, which makes it difficult to create a handicap accessible living unit for an in-law. The minimum size for a single-family dwelling at 750 square feet, Ms. Bubon said the other issue was that these permits were required to be renewed on an annual basis. Per Ms. Bubon, although it will still require a special permit from the Zoning Board of Appeals, they have also tried to make it more flexible to look at it on a case-by-case process and eliminate the annual renewal process.

Selectman Goodwin asked if this applied to all zones in the Town and Ms. Bubon said it is for any district that would allow for a single-family home. Selectman Goodwin asked if there are any other criteria that apply. Ms. Bubon said all of the other provisions of the accessory dwelling bylaw would remain in place and read the requirements.

Motion: To place and support.

By: Selectman Kaitbenski

2nd: Selectman Goodwin

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Vote: 3-0

ARTICLE #38: AMENDMENTS TO THE STURBRIDGE ZONING BYLAWS ADDING FAST FOOD ESTABLISHMENTS TO THE VILLAGE GATEWAY DISTRICT (2/3 VOTE REQUIRED):

Ms. Bubon said Articles 38 and 39 were requested by the property owner who met with the Board in the fall. Per Ms. Bubon, the owner talked about the impact of COVID with restaurant operations and food service and the trends they saw going forward with the size of fast food restaurants and fast casual. Ms. Bubon said they asked the Board to support allowing fast food restaurant by special permit with leaving the design standards, architectural standards, and landscaping standards in place. Ms. Bubon said the Board looked at the definition of fast casual, which has a minimum square footage of 4,000 square feet and the Board did research. Per Ms. Bubon, the National Restaurant Association Report agreed with what property owner, his real estate agent, and his engineers said about footprints getting smaller, the need for drive-thru windows, and that curbside pickup parking spaces were here to stay as well as smaller footprints of the buildings.

Ms. Bubon said the Board decided that it did not matter what type of food was being sold in the building and the main thing that mattered to the Gateway District is that they honor the architectural design standards of what was put in place. Ms. Bubon explained that the Board voted to place these two articles. Per Ms. Bubon, the first eliminates the minimum square footage for fast casual at 4,000 square feet and the second one would allow fast food by special permit in the Village Gateway District, subject to all the other standards that were there.

Selectman Kaibbenski said he is happy to hear that it does not affect the landscaping. Chair Blanchard agreed and said it is more opportunity for businesses to go in there.

Motion: To place and support.

By: Selectman Kaibbenski

2nd: Selectman Goodwin

Vote: 3-0

ARTICLE #39: AN ARTICLE AMENDING THE ZONING BYLAWS OF THE TOWN OF STURBRIDGE TO AMEND THE DEFINITION OF FAST CASUAL DINING (2/3 VOTE REQUIRED):

Motion: To place and support.

By: Selectman Kaibbenski

2nd: Selectman Goodwin

Vote: 3-0

ARTICLE #40: AN ARTICLE AMENDING THE ZONING BYLAWS OF THE TOWN AS THEY REGULATE THE FLOODPLAIN:

Ms. Bubon said the town is a member of the National Flood Insurance Program and the Coordinator works for the Department of Conservation and Recreation who has been reviewing

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all of the communities that are part of the program. Per Ms. Bubon, the changes proposed are updating the language to make sure bylaw is where it needs to be in terms of compliance.

Motion: To place and support.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

**ARTICLE 41: AMENDING THE GENERAL BYLAWS OF THE TOWN OF STURBRIDGE
LIMITING THE EXEMPTIONS TO THE EARTH REMOVAL BYLAW:**

Ms. Bubon said she and the Town Administrator worked on this to make sure it was consistent with the zoning bylaw and to insert the maximum cap on the amount of material that could be removed from the property incidental to having a building permit before they need to go to the Board of Selectmen. Ms. Bubon stated that they used cubic yards that the Board of Selectmen have requested which is 5,000.

Motion: To place and support.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

**ARTICLE #42: AN ARTICLE AMENDING THE GENERAL BYLAWS OF THE TOWN
PROVIDING FOR THE KEEPING OF POULTRY AND OTHER FOWL IN THE TOWN:**

Ms. Bubon said to allow property owners in town to have poultry or fowl, which is the most commonly requested items of people that want to raise their own chickens. Ms. Bubon said a group of residents approached the Board and they worked with the Animal Inspector, Zoning Enforcement Officer, Chief of Police, Conservation Agent, and Town Planner and they crafted a bylaw that would allow the keeping of poultry in Town and be overseen by the Animal Inspector. Per Ms. Bubon, they provided certain circumstances of when someone could have poultry and how many, depending on lot size, area, etc.

Selectman Goodwin asked what the restrictions around wetlands and stormwater were. Ms. Bubon read the stormwater and wetland section F of the article and said they tried to be consistent with other regulations in place.

Motion: To place and support.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

ARTICLE #16: CAPITAL IMPROVEMENT PLAN:

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Chair Blanchard asked how this changed. Mr. Bridges explained that in the Capital line, the Town added lightning protection to the Senior Center, which made the line item from \$85,000.00 to \$97,000.00 and increased the total to \$552,129.00.

Motion: To place and support.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

ARTICLE #19: TAX RATE RELIEF:

Mr. Bridges said they are still waiting on a number. The Board of Selectmen held this one.

ARTICLE #22: WATER DEPARTMENT:

Mr. Bridges said looking at the proposed budget and the revenues, they could sustain the water fund with the current rate structure so there does not need to be a rate increase or any allocation from fund balance to support the water system for next fiscal year.

Motion: To place and support.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

ARTICLE #23: SEWER DEPARTMENT:

Mr. Bridges explained that there is a gap between revenues and expenditures but there are also two betterment projects that have completed their debt service, which has remaining funds in both of those projects. Mr. Bridges said they are Phase 2 and Cedar Improvement projects and there is over \$600,000.00 of funds left in each of the projects after all the debts have been paid. Per Mr. Bridges, by state law, that lapses to the reserve fund in the sewer, so the Town is proposing to allocate \$342,000.00 of those funds to next year's sewer budget and then when the Town receives the rate study, they will have to figure out how to move forward from there so it will keep the rates as is for next year.

Motion: To place and support the article as written.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote 3-0

ARTICLE #33: READOPTION OF CHARTER:

Mr. Bridges said they got language from K-P Law and the Town still needs to fill in the date of the revision on the article. Per Mr. Bridges, if approved at Town Meeting, it will be subject to an election next April.

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Motion: To place and support.

By: Selectman Kaitbenski

2nd: Selectman Goodwin

Vote: 3-0

ARTICLE #11: TOWN BUDGET:

Chair Blanchard read the line items and asked the Selectmen to speak if they had any questions or comments.

Chair Blanchard said there was a change from the Police Department line item under salaries and wages saying it should be \$2,365,764.00. Mr. Bridges also stated that the overtime went down and clarified that the salaries went up but the overtime went down. Chair Blanchard stated that the overtime went down to \$449,781.00 under line 35. Chair Blanchard read that the total Police Department is \$3,268,568.00

Selectman Kaitbenski asked to speak about Line Item 65 on the department head salary for Recreation and asked about the increase and if it was for the classification plan. Mr. Bridges confirmed and said the current year budget includes 35 hours for that position and next year's budget is the product of the classification study. Selectman Kaitbenski said with COVID, Recreation was a non-existent department last year. Selectman Kaitbenski withdrew his hold on the item after his question was answered.

Motion: To place and support Article 11 Town Budget in the amount of \$36,410,574.00.

By: Selectman Goodwin

2nd: Selectman Kaitbenski

Vote: 3-0

The Selectmen then looked at the Special Town Meeting articles.

Mr. Bridges said these might need to be held until next Monday to finalize the numbers.

Motion: To close the warrant for the Annual and Special Town Meeting.

By: Chair Blanchard

2nd: Selectman Goodwin

Vote: 3-0

Mr. Bridges stated that the Town Meeting was set for the 7th of June in the school Auditorium. Mr. Bridges stated that the Board of Selectmen had a workshop previously and had a conversation on all of these items so the lack of conversation for this meeting does not reflect that.

Adjourn

Motion: To adjourn at 7:24 p.m.

By: Selectman Kaitbenski

2nd: Selectman Goodwin


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Vote: 3-0

Adjourned at 7:24 p.m.

Minutes prepared by: Alex McConnon

Clerk of the Board:

A handwritten signature in blue ink, appearing to be "John", written over a horizontal line.

Date signed:

A handwritten date "5/17/21" in blue ink, written over a horizontal line.