

Finance Committee Meeting Minutes Monday, March 27, 2023

Present: (Z – zoom)

Finance Committee

Roll Call 13 in attendance

Dennis Crowley (Chair)

Douglas Shea (Vice Chair)

Josette Burke (Clerk)

Kathleen Foley Greulich

Audrey Grace

Steve Hendricks

Jean Kenney

Leigh Ann Luetzen

Lawrence Pitman

Adrienne Rogers

Mark Trudell

Lisa Van der Linden

Scott Wassel

Absent: Brian Bain, Mark Sullivan

Additional attendees:

Jim Johnson, Patrick Shield, Jodi Cuneo, Timothy Bailey, Jim Crowley, Patrick Deschenes, John Lee

The meeting was called to order by Dennis Crowley at 7:00pm.

Meeting minutes of recorded meetings include time stamps from the video for viewing actual content.

The video can be found at: <https://www.youtube.com/watch?v=prNpQtFfL-U>

Approval of minutes is based from the printed word and not the video

Article 3 – FY23 Budget Adjustment (1:00)

Town Administrator Jim Johnson stated that there are two requests for the Finance Committee to consider. The first is for **\$450,000** from the Ambulance Receipt Account to purchase a new ambulance for the Fire Department. Fire Chief Timothy Bailey stated that the department's three ambulances have 113k, 88k, and 85k miles driven, and they rack up about 4,000-5,000 miles each per month.

Scott Wassel asked if new ambulances come with the equipment and tech already inside. Chief Bailey stated that they will transfer much of the equipment from the old ambulance to the new one.

Jim Johnson stated that the second request under Article 3 is for **\$645,000** from Free Cash into the Net Metering Fund. Douglas Shea asked what would happen if this request is denied, and Jim Johnson stated that the Town would be in violation of its agreement with the Solar Farm.

(9:28) Motion by Mark Trudell and seconded by Douglas Shea for **Favorable Action** on Article 3 in the amounts of **\$450,000** from the Ambulance Receipt Account and **\$645,000** from Free Cash.

The motion passed 13-0-0.

Article 31 – Middle School Easement (10:11)

Jim Johnson stated that the ongoing Middle School Construction Project would benefit from some utility easements to aid in the transportation of utility vehicles and equipment. Mark Trudell asked if the

utilities would be aboveground or underground, and Jim Johnson confirmed that they would all be underground.

(11:41) Motion by Mark Trudell and seconded by Douglas Shea for **Favorable Action** on Article 31. The motion passed 13-0-0.

Articles 22 – 30 - Zoning Bylaw Amendments (12:02)

Jim Johnson stated that the chair of the Planning Board asked him to postpone this discussion because they are not posted for a meeting. However, since time is tight before Town Meeting, he recommended holding the discussion regardless.

Director of Community and Economic Development Patrick Deschenes introduced Article 23, which would remove a subsection from the Zoning Bylaw regarding subdivision phasing, a practice that is no longer utilized.

(18:38) Motion by Mark Trudell and seconded by Douglas Shea for **Favorable Action** on Article 23. The motion passed 13-0-0.

Patrick Deschenes introduced Article 24, which would decrease the appeal deadline timeframe for site plan reviews from 30 days to 20 days in order to be more consistent with the appeal periods of other types of cases. This would also be consistent with other communities.

(21:46) Motion by Mark Trudell and seconded by Douglas Shea for **Favorable Action** on Article 24. The motion passed 13-0-0.

Patrick Deschenes introduced Article 30, which concerns the filling and excavation of earth but needs reworking. The Planning Board voted unanimously to remand it.

(23:10) Motion by Douglas Shea and seconded by Mark Trudell to **remand** Article 30 back to the Planning Board. The motion passed 13-0-0.

Patrick Deschenes introduced Article 22, which would amend three elements of the Zoning Bylaws regarding definitions and requirements for the construction of Accessory In-Law Suites. Jim Johnson stated that generally Zoning Articles are sponsored by the Planning Board, but this article was sponsored by the Select Board. He stated that this article would make it easier for residents to construct In-Law Suites attached to their houses.

Josette Burke asked how the stipulation that the In-Law Suite never be used as a rental unit would be enforced. Building Commissioner Jim Crowley stated that his department typically would only become aware of such violation if notified in the form of a complaint.

Douglas Shea asked for clarification on what counts as a 'business' use in an In-Law Suite. Patrick Deschenes clarified that this would only apply to a home occupation located in the In-Law Suite itself, and would not prevent business matters from being conducted in the main part of the house.

Lisa Van der Linden and Kathleen Foley Greulich expressed confusion over the wording of 'business, commercial, and seasonal rentals' and wondered whether it banned all business and commercial matters, or just those having to do with rentals. Dennis Crowley suggested amending the language with a substitute language to clarify the ambiguity.

Mark Trudell asked if someone who wants to use their In-Law Suite as a business space could move a family member into the In-Law Suite and use their former room as a business space. Dennis Crowley stated that there is already an existing bylaw that would require that homeowner to get a license to do business in their own home anyway.

Audrey Grace questioned how the In-Law Suite would affect the home-owner's property taxes. Patrick Deschenes stated that this process would alter the deed to the property, and it would then be assessed at a higher value.

Dennis Crowley suggested halting the discussion and returning to this Article during the Finance Committee's next meeting on April 6th.

(45:12) John Lee, Zoning Board Chair, stated that the ZBA does not support this particular article in its present state because it would allow homeowners to bypass making their case to the Board and notifying abutters. In-Law Suites currently require a Special Permit, and allowing them by right would be unfair to their neighbors who would otherwise get to attend a public hearing.

Audrey Grace stated that the process of constructing an In-Law addition is already costly and requiring a special permit and hearing would only add an additional expense to an already difficult process. Douglas Shea stated that the third degree of kinship stipulation is too narrow.

Dennis Crowley reaffirmed that it is not the Finance Committee's responsibility to amend this bylaw change, and they are just offering up suggestions.

Adrienne Rogers asked whether the bylaws prevent someone from staying in the In-Law unit temporarily without being considered to be living there. Jim Crowley stated that Mass Law would consider allowing more than three people not related to the owner to stay in the unit to be an apartment arrangement, even if no money changes hands.

The Finance Committee agreed to table this discussion until the next meeting.

(1:00:10) Patrick Deschenes introduced Article 25, which would increase the maximum height for buildings in the Highway Business District from 45 feet (or 4 stories) to 55 feet (or 5 stories) and change the side setback from 40 feet to 25 feet. This would maximize the number and type of commercial units that can be constructed on a very lucrative area of town.

This would be considered a modest change to the regulations and some neighboring towns already allow for building heights to be even taller than Walpole would if this change were to be approved.

(1:04:25) Motion by Douglas Shea and seconded by Scott Wassel for **Favorable Action** on Article 25. The motion passed 10-3-0 (Josette Burke, Douglas Shea, and Mark Trudell voted no).

Patrick Deschenes introduced Article 26, which would increase the number of vehicles that can be garaged on a residential property from three to four vehicles, including one commercial vehicle. The current regulation is not very heavily enforced and increasing the number would make it be more in line with what many families already have.

Jim Crowley stated that enforcement of the current regulation is mostly complaint based, but many families are now in violation of the guideline to the point that it makes no sense to enforce. Families can also petition the Zoning Board for a special permit to keep more vehicles on their property than the bylaw allows.

(1:10:05) Motion by Mark Trudell and seconded by Douglas Shea for **Favorable Action** on Article 26. The motion passed 13-0-0.

(1:10:36) Patrick Deschenes introduced Article 27, which would make two-family homes in the General Residence District by right instead of requiring a special permit. This would only apply to a very small portion of town that is already mostly developed, but it would allow for more diversity in the types of living arrangements available in Walpole. Usage of multi-family housing is already further regulated in other parts of the zoning bylaws.

John Lee stated that allowing developers to construct two-family houses in this area by right would eliminate the need for a public hearing, which would reduce transparency and deprive neighbors of an opportunity to voice their concerns.

(1:18:15) Motion by Douglas Shea and seconded by Lisa Van der Linden for **Favorable Action** on Article 27.

The motion passed 7-6-0 (Josette Burke, Jean Kenney, Leigh Ann Luetzen, Lawrence Pitman, Douglas Shea, and Mark Trudell voted no)

Article 28 would make three-family homes in the General Residence District by right instead of requiring a special permit.

(1:19:46) Motion by Audrey Grace and seconded by Lisa Van der Linden for **Favorable Action** on Article 28.

The motion passed 7-6-0 (Josette Burke, Jean Kenney, Leigh Ann Luetzen, Lawrence Pitman, Douglas Shea, and Mark Trudell voted no)

Patrick Deschenes introduced Article 29, which would add an additional parking code for the Central Business District which would scale the number of parking spaces required to the number of bedrooms, as opposed to the current guideline of two spaces per dwelling unit. There is a limited amount of space

in the downtown area and there is access to public transportation, so many apartment complexes have already sought relief from the current guideline.

(1:27:29) Motion by Douglas Shea and seconded by Adrienne Rogers for **Favorable Action** on Article 29. The motion passed 12-1-0 (Josette Burke voted no).

Jim Johnson stated that at the next meeting the Finance Committee will take up the union contracts, as well as the non-union personnel adjustment and the overall FY24 budget.

Adjournment (1:30:42)

Motion by Douglas Shea and seconded by Scott Wassel to adjourn. The motion passed 13-0-0.

The Finance Committee adjourned at 8:30pm.