



## TOWN OF SHREWSBURY

Board of Selectmen Meeting  
Board of Selectmen's Meeting Room  
Richard D. Carney Municipal Office Building  
100 Maple Avenue  
Shrewsbury, Massachusetts 01545-5398

**Tuesday, March 8, 2022 - 7:00 PM**

### Minutes

**Present:** Mr. John Samia, Chair, Mr. John Lebeaux, Vice-Chair, Mr. Maurice DePalo, Clerk, Ms. Beth Casavant, Selectmen, Ms. Theresa Flynn, Selectmen

**Also Present:** Mr. Kevin Mizikar, Town Manager, Ms. Kristen Las, Assistant Town Manager, Ms. Taylor Galusha, Principal Department Assistant (Board of Selectman and Town Manager)

Mr. Samia called the meeting to order at 7:00 PM

### Preliminaries:

1. **Approve bills, payrolls, and warrants**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve bills, payrolls, and warrants 2233, 2270, 2270ME, and 2272.

2. **Approve Minutes of February 11, 2022, February 18, 2022, and February 22, 2022**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve the minutes of February 11, 2022, February 18, 2022, and February 22, 2022 as written.

3. **Announcements/Reports**

Mr. Samia announced that the Planning and Economic Development Department is accepting applications for Shrewsbury's Small Business Grant Assistance Program between now and April 1, 2022. The grants will provide immediate relief to Shrewsbury small businesses that have been impacted by the COVID-19 pandemic. The Town's American Rescue Plan Act (ARPA) allocated \$50,000 in funding for this program and individual amounts of up to \$2,500 will be awarded to eligible small businesses. Small business owners can visit the Planning and Economic Development Department website to submit an application for a grant.

He also announced that the newly formed Shrewsbury Community Preservation Committee is hosting a public forum on March 29th from 6:30PM-8:30PM in the Shrewsbury Public Library Meeting Room. The Committee is seeking your feedback on Shrewsbury's needs as related to open space protection, historic preservation, affordable housing, and outdoor recreation. Your comments will be incorporated into the Community Preservation Plan which will outline the Committee's overall community resources, needs and goals for each focus area. Reach out to the Planning and Economic Development Department to learn more.

Mr. Samia announced that Town Meeting Members are needed in all precincts! Now is the time to get involved in Representative Town Meeting, the legislative body in the Town of Shrewsbury. Any qualified candidate (registered voter in Shrewsbury) may have their name placed on the ballot by pulling and filing nomination papers with the Town Clerk. The deadline to file signed nomination papers is 5:00 PM on March 15, 2022. Town Meeting Members require a minimum of ten (10) signatures of registered voters in their precinct. Visit the Town Website,

Shrewsburyma.gov, for more information on the 2022 Annual Town Election and how to run for Town Meeting Member in your precinct.

He also announced that the second phase of the National Community Survey has begun! To take the survey please visit <https://polco.us/ShrewsburyOP2022> or click [HERE](#). Your participation is important! The National Community Survey asks questions of the community on certain service and topic areas. Overall, the survey will assist the Town in the strategic planning process and other future endeavors. Your participation and engagement is important! There are flyers available at this meeting, Town Hall, and online to scan the QR code to take the survey.

He concluded that applications are now available for the 2022 Town of Shrewsbury scholarships and completed applications are due Thursday at the Board of Selectmen's office no later than 4:00pm.

Scholarships are awarded to deserving residents of Shrewsbury who are seniors at any high school. Awards are based on financial need, character, community service, and academic achievement.

#### 4. **Town Manager's Report**

None

#### **Special Reports/Actions/Updates:**

#### 5. **COVID-19 Updates on Positive Case Counts, Vaccination Data and Town Operating Status**

Mr. Mizikar shared a COVID-19 update presentation, adding that Town Hall has been open to the public without the need for an appointment.

There were 28 cases in the last seven days. The Town continues to ask people to work to minimize the spread. There have been 7,232 positive cases in Town to date, an increase of 54 cases since last reported on February 22, 2022. There have been 87 COVID-19 deaths, an increase of 7 since last reported on February 22, 2022.

35,680 residents, or 91% of all eligible residents, have received at least one dose of a COVID-19 Vaccine. This is an increase of 139 residents since last reported on February 22, 2022. 31,489 residents, or 80% of all eligible residents, are fully vaccinated. This is an increase of 73 individuals since last reported on February 8, 2022. 18,891 residents, or 48% of all eligible residents, have received a COVID-19 Booster shot, an increase of 718 individuals since last reported on February 22, 2022.

All residents 5 and older who live, work, or study in Massachusetts are now eligible. Ages 5 to 17 can only get the Pfizer vaccine. Pfizer and Moderna booster COVID-19 vaccinations are available for all individuals 18+ who received a 2nd dose of the Pfizer or Moderna vaccine at least six months ago. Johnson & Johnson COVID-19 booster shots are available to all individuals 18+ who received a single dose of the J&J COVID-19 vaccine at least 2 months ago.

#### **Meetings/Hearings**

#### 6. **Meeting with Donald Kosky, Treasurer and Clerk, Shrewsbury Sportsmen's Club, Inc., 307 Boylston Street, for a Change of Hours to the Club All-Alcohol Pouring License from 8:00am to 2:00am Monday through Saturday and 11:00am to 1:00am on Sunday, to Monday through Saturday 11:00am to 2:00am, and 11:00am to 1:00am on Sunday**

Mr. Donald Kosky was present.

Mr. Samia summarized the agenda item and clarified the reduction of hours is from 8:00am to 2:00am Monday through Saturday and 11:00am to 1:00am on Sunday, to Monday through Saturday 11:00am to 2:00am, and 11:00am to 1:00am on Sunday.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve the Change of Hours to the Club All-Alcohol Pouring License from 8:00am to 2:00am Monday through Saturday and 11:00am to 1:00am on Sunday, to Monday through Saturday 11:00am to 2:00am, and 11:00am to 1:00am on Sunday for Shrewsbury Sportsmen's Club, Inc., 307 Boylston Street.

**New Business:**

**7. Review and act on the Land Disposition Agreement with Civico Development for 1-7 Maple Avenue, the former Beal School**

Mr. Samia summarized the agenda item and brief timeline of events since the December 7, 2021 public hearing regarding the Beal Reuse project.

Mr. Mizikar, Ms. Las, and Mr. Cahill gave a presentation on the process so far. It covered 6 key areas; the planning process, implementation of the planning process, response to the December 7 public hearing, resident concerns, proposed project options, and the Town Manager recommendation.

The planning process is based off of the Master Plan, and then it narrows into an area plan, and then a project plan – this is the best practice for a project like this. Mr. Mizikar also discussed the strong public role for this project. Ms. Las summarized the master plan process that the Town conducted starting in 2013. The Planning Board oversees the Master Plan, which was updated in 2016, and the different public input sessions that occurred as well. Mr. Cahill summarized the area plan, the Town Center Visioning Study, and the public input opportunities that occurred throughout that process. He also discussed the Town Center Zoning District as well.

Mr. Samia discussed Article 23 of the August 2020 Annual Town Meeting, the purpose of the article, and what the article authorized. Mr. Mizikar discussed the Town Center Zoning and the Beal Reuse RFP. Ms. Las discussed the Beal Reuse Committee and the process for the RFP development. Mr. Samia discussed the memo from the Beal Reuse Committee and the 2021 Board of Selectmen Process – advertisements and meetings that occurred. He also explained the uses of executive session and open meeting law. Mr. Samia summarized the general themes of the public hearing – reduce unit count, increase public space, and public parking. Mr. Mizikar then summarized the negotiation outcomes from January 25, 2022 on. He noted that between the two proposed projects they were able to reduce the unit count by at least 10, increased open space by 0.3 acres for the Town to retain and own, maintained public parking, maintained Hascall Street parking where bus drop off restricted public parking, reduced amount of land to be retained by buyer, maintained sales price at the 55 unit option, and maintained architectural integrity of the project.

Mr. Mizikar also reviewed the areas of concern from residents including the one bidder, sales prices, open space, residential units (traffic and school children), and the impact of the 90 day delay. Mr. Mizikar summarized the public bidding process and how the legal and technical requirements work. Noting the competitive, fair, and transparent process being necessary by the Massachusetts General Law. The Town met these requirements. He noted that the proposal is consistent with what was set forth in the Master Plan and the Town Center Visioning Study. He also addressed the land price and that it is not a market transaction and that this is a public redevelopment project. He noted that the Town is selling the land to a private entity and are able to control what is being built, regulating them throughout the process, and holding their money in abeyance the duration of the project. It must balance the public interest, and also have a financially viable project. He noted the need to couple retail and residential components to create vibrancy in the Town Center. He also addressed the comments related to open space, referring to the Master Plan and Town Center Visioning Study and the resident feedback on it creating economic vibrant redevelopment in that district, it would be a catalyst for this. He also noted the traffic concerns and during the 250 to 300 trips there when school is in session – that was the norm for this site when it was being used and a traffic study will be done as well. He also noted the yearly memo the Town does on school children from these complexes – from the last 5 years, these residencies creates 0.06 to 0.16 school aged children per unit.

This project could create between 4 and 9 students. Finally, Mr. Mizikar addressed the 90 day delay and noted they have been responsive over the last 91 days since the December 7, 2021 public hearing, he noted they are always looking to improve and strive to do better on creating ways to engage. Delaying the project will discard over 6 years of work done through this planning process.

Mr. Mizikar presented the two options he was able to negotiate:

Option 1: 50 total units, 12.5% affordable units (7 Units of the 50 Units), 7,000 to 8,000 Square feet of Commercial Space, 0.7 Acres of Town Owned Open Space, preserve the World War I Memorial, 128 Parking Spaces (20 Public), \$1,000 Sale Price, and a Total Estimated Annual Revenue (Year 1) of \$154,192.49.

Option 2: 55 total units, 12.5% affordable units (7 Units of the 50 Units), 7,000 to 8,000 Square feet of Commercial Space, 0.7 Acres of Town Owned Open Space, preserve the World War I Memorial, 136 Parking Spaces (20 Public), \$250,000 Sale Price, and a Total Estimated Annual Revenue (Year 1) of \$167,274.72.

Mr. Mizikar recommended Option 2 to the Board. He noted that the estimated annual revenue for year 1 is very conservative and also noted that the option is responsive to the concerns and feedback they received on December 7, 2021. He noted that this would bring great economic vibrancy.

Ms. Casavant asked if in both options the Town would retain the open space. Mr. Mizikar said yes, we would get a leveled, cleared, loomed and seeded site that would be open for the Town to determine its use.

Mr. Samia asked what protections we have for the World War I memorial. Mr. Mizikar noted it would be worked through with Town Counsel, but it would be a perpetual easement at least over the site and appropriate liability will be there as well.

The Board Members gave their individual thoughts on the two different options presented to the Board and then their general comments on the process and the project.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, on a roll call vote – Ms. Casavant – yes, Ms. Flynn – yes, Mr. Lebeaux – yes, Mr. DePalo – yes, Mr. Samia – yes; the Board unanimously voted to enter into and sign an agreement with Civico/Greenly Development based on Option 2 that was presented at this meeting (55 total units, 12.5% affordable units (7 Units of the 50 Units), 7,000 to 8,000 Square feet of Commercial Space, 0.7 Acres of Town Owned Open Space, preserve the World War I Memorial, 136 Parking Spaces (20 Public), \$250,000 Sale Price).

The Board took a recess at 8:45 PM

The Meeting resumed at 8:53 PM.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to authorize the Town Manager to put a statement together on what was discussed at the March 8, 2022 meeting regarding the Beal Reuse Project.

**8. Review Presentation of the MBTA Community Draft Guidelines by Bernard Cahill, Director of Planning and Economic Development**

Mr. Bernard Cahill reviewed the presentation on the MBTA Community Draft Guidelines. He noted that the purpose of the presentation is to share information regarding the multi-year state-required zoning reforms for multi-family housing in designated “MBTA Communities” and to solicit comments for public feedback to the DHCD. Mr. Cahill discussed the background of the MBTA Communities Legislation, a summary of draft guidelines,

anticipated impact on Shrewsbury, impact of noncompliance, important dates, future considerations, and then went through the Board's questions and comments. He noted that the Public Comments are due by March 31, 2022 to the DHCD.

Mr. Samia asked if he can share the comments and questions he is going to submit with the Board and what the action plan/next steps would be going forward. Mr. Cahill noted that they are already working to get funding and help with this and the state grant programs are prioritizing help with creating these districts, CMRPC will already be assisting them in a regional effort. He noted that they will lay out an action plan of what they intend to do by the end of 2023 and then in early 2024 to go to Town Meeting in May 2024. He noted that this is a long enough time frame to pull something together to engage the community and talk about this.

Ms. Casavant asked if the overall purpose behind this is to encourage creation of additional housing with other options. Mr. Cahill said that is exactly the purpose and additionally to lower the carbon footprint of communities by being close to transportation as well, bigger purpose is creating housing options.

**9. Review and act on the Outdoor Dining Rules and Regulations and application form**

Ms. Las summarized the agenda item for the Board and the history behind the creation of the Outdoor Dining Rules and Regulations and application form. Revisions have been made based on previous comments.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve the Outdoor Dining Rules and Regulations and application form

**10. Review the draft warrant for the May 21, 2022 Annual Town Meeting**

Mr. Mizikar provided an overview of the different draft warrants by function categories. Expecting 45 to 49 articles that they would be presenting on the warrant and upcoming deadline to submit citizen petitions at the Clerk's Office by March 15, 2022.

Basic forms of the proposed motions will be available on the articles that they will be recommending to them, full details will not be available until after.

**11. Review and act on the partial street closure request from Andrew Truman, Town Engineer, for a partial closure of Howe Avenue for the Howe Ave pump station replacement project**

Mr. Andrew Truman, Town Engineer was present and summarized the request.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve the partial street closure request from Andrew Truman, Town Engineer, for a partial closure of Howe Avenue for the Howe Ave pump station replacement project as described in Mr. Truman's memo.

**12. Review and act to disband the Diversity, Equity, and Inclusion Task Force**

Mr. Mizikar summarized the agenda item, this is a procedural item as once an ad-hoc committee satisfies the charge it is disbanded and allows the members to serve on other committees.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to disband the Diversity, Equity, and Inclusion Task Force

During discussion the Board requested that Town Staff send letter professing our profound thanks for all the work they have done

**13. Review and act to approve the September 13, 2021 minutes of the Diversity, Equity, and Inclusion Task Force**

Mr. Samia summarized the agenda item.

On a motion by Mr. Lebeaux, seconded by Mr. DePalo unanimously voted to approve the September 13, 2021 minutes of the Diversity, Equity, and Inclusion Task Force as written.

**14. Review and act on the One-Day All Alcohol License Request of Pamela LaBove, Saint John's High School, 378 Main Street, for:**

- a. **April 29, 2022 for the delivery and storage of All Alcohol**
- b. **April 30, 2022, from 5:00pm to 12:00am for the serving of All Alcohol at a gala fundraiser event**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to approve the the One-Day All Alcohol License Request of Pamela LaBove, Saint John's High School, 378 Main Street, for April 29, 2022 for the delivery and storage of All Alcohol and April 30, 2022, from 5:00pm to 12:00am for the serving of All Alcohol at a gala fundraiser.

**Correspondence: The Board of Selectmen will review and possibly act on the following:**

15. **Email, dated February 17, 2022, from Edward Bambauer, 17 Flintlock Drive, re: Historical Preservation activities – so noted**
16. **Email, dated February 18, 2022, from Leo and Bernadine Piecz, 20 Red Coat Road, re: Beal School Property – so noted**
17. **Email, dated February 19, 2022, from Bernard and Kathleen Forletta, 22 Colton Lane, re: Beal proposal – so noted**
18. **Letter, received February 23, 2022, from Diane Shea, Business Manager, Central Massachusetts Regional Planning Commission, re: Fiscal Year 2023 – so noted**
19. **Letter, received February 28, 2022, from Hannah Kane, 32 Main Circle, re: Hannah Kane Letter of Resignation from the Finance Committee– so noted, extended our thanks to her for serving in that role and the role as a state rep, thank you for your service**
20. **Letter, received March 1, 2022, from Jim Kane, Town Moderator, re: Shrewsbury Finance Committee – so noted**
21. **Letter, received March 1, 2022, from Nick Repekta, Highway Division Manager, re: Snow Report 8” snow – so noted**
22. **Email, dated March 1, 2022, from Barbara Kickham, 12 Tamarack Lane, re: Beal Development – so noted**
23. **Email, dated March 1, 2022, from Ray and Kathleen Brassard, 61 Plainfield Ave, re: PLEASE HELP - Building inspector – so noted, working with the home owner and finding a path forward to protect the future owner and satisfy the requirements to move forward**
24. **Email, dated March 3, 2022, from Lucy Pelland, 33 Brookdale Circle, re: Rapid development/tree loss – so noted**
25. **Letter received March 4, 2022, from Michael E. Brangwynne, FletcherTitlton PC, re: Petition for Zoning Amendment for Annual Town Meeting, Amendment of Zoning Text relative to Section VII.A Height Regulations, and Amendment of Zoning Text relative to Section VI.A Use Regulation Schedule – so noted**
26. **Email, dated March 4, 2022, from Shibu Mattew, 89 Grace Ave, re: pothole like a swimming pool – so noted, it is a private way but they will respond**
27. **Email, dated March 4, 2022, from Julie Tierney, 6 Wood Street, re: Beal Deal – so noted**
28. **Email, dated March 4, 2022, from Lynda Camarra, 10 Wesleyan Street, re: BEAL SCHOOL – so noted**
29. **Email, dated March 4, 2022, from Scott Wagner, 457 Main Street, re: Beal Deal – so noted**
30. **Email, dated March 4, 2022, from Anthony Bonhomme, 86 Prospect Street, re: sale of Beal School property – so noted**

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31. **Email, dated March 4, 2022, from Kathy Musiak, 23 Bellridge Drive, re: Stop the Beal Deal – so noted**
32. **Email, dated March 4, 2022, from Elena Kandova, 10 Melvin Avenue, re: The Beal Deal – so noted**
33. **Email, dated March 4, 2022, from Melissa Graham, 9 Taft Road, re: I oppose the Beal Deal – so noted**
34. **Email, dated March 4, 2022, from Carole Tula, 65 Tanger Drive, re: STOP THE BEAL DEAL – so noted**
35. **Email, dated March 4, 2022, from Amanda Alves, 32 Knowlton Avenue, re: Stop the beal deal – so noted**
36. **Email, dated March 4, 2022, from Jessica Miksis, 23 Pheasant Hill Drive, re: Stop the Beal Deal – so noted**
37. **Email, dated March 4, 2022, from Doreen DiPilato, 65 Tanger Drive, re: Beal Deal – so noted**
38. **Email, dated March 4, 2022, from George Heipler, 109 Walnut Street, re: Beal deal – so noted**
39. **Email, dated March 5, 2022, from Mark Saldanha, 130 Cherry Street, re: Redevelopment of the former Beal School – so noted**
40. **Email, dated March 5, 2022, from Paula McCarthy, 40 Wesleyan Street, re: Fwd: The Beal Deal – so noted**
41. **Email, dated March 5, 2022, from Tony Franzoso, 489 Main Street, re: Beal Deal – so noted**
42. **Email, dated March 5, 2022, from Scott Robertson, 17 Grove Street, re: Sale of the old Beal School– so noted**
43. **Email, dated March 5, 2022, from Ken Mongeon, 320 Gulf Street, re: Beal school plan – so noted**
44. **Email, dated March 6, 2022, from Susan Collins, 473 Main Street, re: Beal School property– so noted**
45. **Email, dated March 6, 2022, from Mark Lonergan, 16 Ridge Road, re: Opposition to and concerns about former Beal School proposed development – so noted**
46. **Email, dated March 6, 2022, from K. Ahmed Hussain, 2 Fieldstone Drive, re: Plea to my Selectwoman from a precinct 8 voter – so noted**
47. **Email, dated March 6, 2022, from Katherine Van Zandt, 17 Wheelock Street, re: Beal school – so noted**
48. **Email, dated March 7, 2022, from Meagan Gormally, 41 Knowlton Avenue, re: Opposition to the Beal Agreement - More Green Space please – so noted**
49. **Email, dated March 7, 2022, from Robert Davis, 15 Saxon Lane, re: Beal Plan – so noted**
50. **Email, dated March 7, 2022, from Shannon Michalowski, 34 Edgewood Road, re: Beal Property – so noted**
51. **Email, dated March 8, 2022, from June Coolidge, 30 Colton Lane, re: Beal School Deal –please consider new information – so noted**
52. **Email, dated March 8, 2022, from Janice Heipler, 109 Walnut Street, re: Stop and Rethink Beal Redevelopment – so noted**
53. **Email, dated March 8, 2022, from Christopher Kirk, 40 Westwood Road, re: Sale of Beal school property – so noted**

**ZBA Decisions**

54. **ZBA Decision of February 28, 2022, for Dale Schaetzke, for two special permits, for property located at 64 Barnard Street – so noted**
55. **ZBA Decision of February 28, 2022, for McGovern Auto Group Corp Services Inc. DBA McGovern Collision, for two special permits and two variances, for property located at 420 Boston Turnpike – so noted**
56. **ZBA Decision of February 28, 2022, for Shewsbury Land Property Owner, LLC, for variance, for property located at 440 Hartford Tpke – so noted**
57. **ZBA Decision of February 28, 2022, for Sandra and Roger Pedersen, for variance and special permit, for property located at 479 Oak Street – so noted**
58. **ZBA Decision of February 28, 2022, for Jennifer and Peter Collins, for special permit, for property located at 16 Spring Circle – so noted**
59. **ZBA Decision of February 28, 2022, for George LaConte, for special permit, for property located at 29 Smith Road – so noted**

**Adjourn**

On a motion by Mr. Lebeaux, seconded by Mr. DePalo, the Board unanimously voted to adjourn at 9:33 PM.

Respectfully Submitted,



Taylor M. Galusha

**Referenced Materials:**

1. COVID-19 Update Presentation
2. Beal Reuse Project Presentation
3. MBTA Draft Community Guidelines Presentation
4. Outdoor Dining Rules and Regulations and Application Form
5. Partial Street Closure Request of Howe Avenue