

**TOWN OF SHREWSBURY
SPECIAL TOWN MEETING
OCTOBER 18, 2021**

The meeting was called to order at 7:04 P.M. at the auditorium of Oak Middle School meeting the State Guidelines for a safe Town Meeting due to Covid-19. The quorum for this particular meeting has been reduced to 100 Town Meeting Members in accordance with Section 7 of Chapter 92 of the Acts of 2020 and Section 8 of Chapter 20 of the Acts of 2021.

The moderator led the assembly in the pledge of allegiance to the flag.

Moderator James F. Kane announced a quorum of town meeting members in attendance. The official checklist showed 145 town meeting members present, including the moderator, Chair of the Board of Selectmen, and Chair of the Finance Committee. As the first order of business the moderator examined the warrant and the constable's return and asked for and received unanimous consent to waive the reading of the warrant. The moderator asked for and received unanimous consent to appoint Robert Holland as deputy moderator in an adjacent room for people not wearing masks.

The moderator introduced individuals seated on the stage of the auditorium beginning with the Town Manager, the Board of Selectmen, Town Clerk, Town Counsel, Assistant Town Manager, and the Finance Committee.

The moderator explained the procedural rules of town meeting.

A report on the visioning and strategic planning initiative:

- Thank you Mr. Moderator.
- Good evening town meeting members. My name is John Samia, and I am the chairman of the Shrewsbury Board of Selectmen.

- As you recall, the May 2021 Annual Town Meeting appropriated \$99,000 for the Board of Selectmen to undertake a multi-year visioning and strategic planning initiative.

- On behalf of the Board of Selectmen and Town Manager's Office, it is my pleasure to provide an update to you with regards to our work.

- The Board of Selectmen met during the summer over the course of two days to refine our approach and set goals for this initiative and the coming years
- This resulted in direction to the Town Manager for the following:
 - First, conduct a survey to benchmark resident's opinions and the Town's performance in comparison to similar communities in Massachusetts and across the country
 - The Town will partner with Polco to conduct the *National Community Survey* within the coming months
 - Second, solicit proposals from experienced consultants to help facilitate a Community-engaged visioning process to have residents define their ideal Shrewsbury in 2030 and develop a strategic plan to get there.

- During this process the Town Manager and his team secured a \$50,000 grant through the Commonwealth's Community Compact program which will help offset the cost of those two key initiatives.

- Request For Proposals Process
 - On August 18, the Town issued a Request for Proposal to find the consultant.
 - 30 firms from across the country requested the RFP packet.
 - 7 firms participated in a pre-proposal conference on September 1.
 - 5 firms submitted formal proposals by the September 20th deadline.
 - Their proposals were reviewed by a team of staff and representative of the Board of Selectmen.
 - Interviews were conducted with two finalists.
 - At the Board of Selectmen's meeting on October 12th, the Board of Selectmen authorized the Town Manager to engage in contract negotiations with Raftelis.
 - Raftelis has worked with over 600 local government agencies in 46 states on similar projects

- They are currently working with the Towns of Nantucket and Lexington.
- In 2018 they completed a similar initiative for the Town of Westborough.
- They have clearly demonstrated their ability to lead successful community-engaged visioning and strategic planning projects.
- Residents will receive timely updates so that they can prepare to participate in both the *National Community Survey* and the Visioning and Strategic Planning process
- The Board of Selectmen recognizes the importance of community engagement and strategic planning.
 - **We request Town Meeting members help not only as a participant, but also as leaders in our community.** We will need your help with the proactive communication and civic engagement with all residents, which in turn will ensure that our strategic planning process achieves one of the essential desired outcomes, namely that our strategic plan meets the Purpose Statement of the Town's Strategic Planning Approach, which is:

“The Town of Shrewsbury is dedicated to fostering a vibrant, economically competitive and safe community for all to thrive.”
 - We look forward to working with you as key stakeholders and all residents in Shrewsbury to define a vision for 2030 and build the framework to get there.

In addition to giving direction to the Town Manager regarding strategic planning, the Board of Selectmen also identified the Town's most pressing challenges as:

- *How do we create agreement about financial resources and management in Shrewsbury?*
- *How do we establish an infrastructure that maximizes community satisfaction and quality of life?*
- *How do we implement the priorities of the override?*
- *How do we address changing demographics and expectations?*
- *How do we implement our plans for economic vibrancy?*

The Board has prioritized the following four goal areas and defined associated performance areas/characteristics to begin to address the identified pressing challenges:

First, Build & Maintain Reliable Infrastructure

Harden infrastructure to prepare for climate impacts
 Smart Technology
 Prospective Investments, which are sustainable into the future
 Interconnected

Second, Promote Economic Growth

Focus on Commercial and Industrial Tax Base Growth
 Fortified through Resilient Government Economic Structure
 Through Open and Responsive Relationship with Developers
 Define resident growth development

Third, Quality of Life

Safe Community for All
 Safety Net Development
 High Quality, Universal Education Access
 Affordable Housing
 Invest in Parks and Recreation
 Social Emotional Well-Being

Forth, Effective Government

Strategic Plan
 Effective Communication with Residents
 Reduce the Town's Impact on Climate Change

Consistent with our goal of providing a safe community for all, we had brought forward Article 16 as a proactive approach to address concerns from multiple residents regarding traffic, speed and roadway safety generally.

Article 16 was brought forward quickly as a result of a couple of factors. First, the parcel of property that Article 16 seeks to authorize the purchase of, recently became available. As we all know, real estate is at a premium, and Shrewsbury is no exception. We believed that we needed to act quickly and responsibly, balancing the need for speed against the potential lack of fulsome details.

Second, this Article was presented to fix what many residents and town officials have viewed as a safety problem for over 20 years through the purchase of a parcel of property that in turn could be used to proactively and strategically address an issue, which may be exacerbated by increased traffic resulting from the development of the Market Basket property.

However, we have heard the concerns expressed by many residents regarding this Warrant Article, including those at the recently held Finance Committee public hearing.

We also recognize that the materials in the town meeting packet were not as fulsome as they could have been. While this is primarily due to timing, we also recognize that we can and will do better going forward.

Finally, we recognize that a piecemeal approach in achieving the Town’s strategic goals is not the most effective option, even where the option that we seek to achieve may not be available in the near future. And, as a result, the Board convened here at Oak immediately prior to Town Meeting and revoted 5 – 0 to recommend defeat of the article now with the firm belief that we will take huge steps forward as a community soon enough through the strategic planning process. Thank you.

An asterisk (*) indicates articles recommended by the Finance Committee:

***Article 1: Establish Insurance Trust Fund**

VOTED UNANIMOUSLY a motion to accept the provisions of Massachusetts General Laws, Chapter 40, Sections 13 and 13A, to establish an Insurance Trust Fund.

***Article 2: Abolish the Worker’s Compensation Reserve Account**

VOTED UNANIMOUSLY a motion to abolish the Workers Compensation Reserve Account established at the May 2000 Annual Town Meeting and

1. transfer all remaining funds in that account; and
2. \$55,000 raise from Taxation:

to the Insurance Trust Fund established in Article 1 of this Town Meeting.

***Article 3: Transfer Funds to Various Departmental Appropriations**

VOTED UNANIMOUSLY a motion to reduce the amount to be raised from taxation under Article 5 of the May 22, 2021 Annual Town Meeting as follows:

Reduce from Taxation: \$1,741,573.88
and appropriate the same to various departments specifically as set forth below:

DEPARTMENT	AMOUNT
Retirement: Pension and Annuities Contributions	(\$2,241,636.00)
Town Manager: Salaries <1-2-3>	\$30,000.00
Planning: Salaries <1-2-3>	\$5,200.00

Planning: Salaries <1-2-3>	\$30,000.00
Emergency Management: Salaries <1-2-3>	\$16,000.00
OPEB	\$923,000.00
Long Term Debt Principal: Centech North	(\$305,000.00)
Long Term Debt Interest: Sherwood	(\$152,387.50)
Long Term Debt Interest: Centech North	(\$46,750.38)

***Article 4: Transfer Funds from Water Enterprise Fund**

VOTED UNANIMOUSLY a motion to transfer the sum of \$360,146.44 from the following accounts:

ACCOUNT	DETAILS	AMOUNT
18445010 581410	2017 ATM Article 36: Water Mains Grafton/Rt. 9	\$29,657.90
18445010 581600	2018 ATM Art 34: Water Mains Edgemere Blvd/Francis Ave	\$8,712.38
18445010 582080	2013 ATM Art 18: Water Mains Main St/Main Circle/Gage Lane	\$71,776.16

and \$250,000 from the Water Enterprise Fund's Retained Earnings to the Water Quality Improvement Project and Initiative Account.

***Article 5: Transfer Funds from Sewer Enterprise Fund**

VOTED UNANIMOUSLY a motion to transfer the sum of \$89,009.62 from the following accounts:

ACCOUNT	DETAILS	AMOUNT
19044010 581570	Oakland Ave/Main Sewer	\$85,578.00
19044010 585964	2016 ATM Article 32: Sewer Pump Station	\$3,431.62

to the Sewer Pump Station Improvement Account.

***Article 6: Repair/Replacement Toblin Hill Bridge**

VOTED a motion to appropriate \$2,000,000 from the sale of land in Centech Park North to fund the costs for the repair/replacement of the Toblin Hill Drive bridge, Toblin Hill Drive, Nursery Drive and related appurtenances.

***Article 7: Appropriate Sum of Money from Transportation Network Companies**

VOTED UNAMIOUSLY a motion to appropriate \$18,325.20 received from the Transportation Network Companies (TNC) Per-Ride Assessment for the purposes of sidewalk, crosswalk, pedestrian mobility initiatives, and other programs that support alternative modes of transportation.

***Article 8: Funds for Schematic Design Replacement Windows at Oak Middle School**

VOTED UNAMIOUSLY a motion to appropriate the amount of Fifty Thousand (\$50,000) Dollars from Free Cash for the purpose of paying costs for the Schematic Design for the replacement of windows at Oak Middle School, 45 Oak Street, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town has applied for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Town Manager. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town; and that, if invited to collaborate with the MSBA on the proposed repair project, the amount to be expended from the appropriation made pursuant to this vote shall be reduced by any grant amount set forth in the *Project Funding Agreement that may be executed between the Town of Shrewsbury and the MSBA*.

***Article 9: Accept MGL Chapter 59, Section 5, Clause 22G**

VOTED UNAMIOUSLY a motion to accept Massachusetts General Laws Chapter 59, Section 5, Clause 22G.

***Article 10: Accept MGL Chapter 40, Section 5B
Creating a Town Sewer System Special Purpose Stabilization Fund**

VOTED UNAMIOUSLY a motion to accept the provisions of M.G.L. Chapter 40, Section 5B, for the purpose of creating a Sewer System Special Purpose Stabilization Fund for the benefit of the Sewer System Special Revenue Fund; such fund to be used for the future payment of any expenses of the Sewer System Enterprise.

***Article 11: Transfer Funds to the Sewer System Special Purpose Stabilization Fund**

VOTED UNAMIOUSLY a motion to transfer the sum of \$1,170,679.43 as follows:

Transfer from General Sewer Construction Account: \$970,679.43

Transfer from Sewer Surplus Fund: \$200,000.00

and appropriate to the Sewer System Special Purpose Stabilization Fund established in Article 10 of this Town Meeting.

***Article 12: Amend the Zoning Map**

VOTED UNANIMOUSLY a motion to amend the Zoning Map of the Town of Shrewsbury as shown on the plan entitled, “Proposed Zoning District Change - Lake Street”, prepared by the Town of Shrewsbury DPW - Engineering Division.

***Article 13: Amend Zoning Bylaw**

**Section II Definitions, Section VI-Table Use Regulation Schedule,
Section VII-Development of Sites and Location of Buildings and Structures**

VOTED UNANIMOUSLY a motion to amend the Zoning By-Law of the Town of Shrewsbury, Section II - Definitions, Section VI – Table I Use Regulation Schedule, and Section VII – Development of Sites and Location of Buildings and Structures, as follows:

1) Amend the following definitions by inserting the following **underlined** and **bolded** language:

Restaurant, Indoor Service Only:

A place where the primary function is the serving of food and beverages **enclosed within a structure**.

Restaurant, Indoor **and** Outdoor Service:

2) Amend the Use Table in Section VI by inserting the following **underlined** and **bolded** language, deleting the struck ~~through~~ language, changing “Restaurants, Indoor and Outdoor Service” from “N” to “Y” in the Limited Business and the Limited Commercial Business zoning district and from “SP” to “Y” in the Commercial Business zoning district, and changing “Restaurants, Indoor Service Only” from “SP” to “Y” in the Limited Commercial Business zoning district.

	Rur AA	Rur A	Rur B	Res A	Res B-1	Res B-2	MF -1	MF -2	Apt	LB	TCD	CB	LCB	LI (8)	NB	O -R	LO -R
Restaurants, Indoor and Outdoor Service <u>(32)</u>	N	N	N	N	N	N	N	N	N	N <u>Y</u>	Y	SP <u>(27)</u> <u>Y</u>	N <u>Y</u>	N	N	N	N
Restaurants, <u>Indoor service only</u> or other places for serving food within the structure.	N	N	N	N	N	N	N	N	N	Y	Y	Y	SP <u>Y</u>	N	N	N	N

3) Insert the following as a new Footnote 32 or as the Footnote number which is in numerical order with existing footnotes, in Section VI –Table I.

(32) Restaurants with Indoor and Outdoor Service shall be subject to review and approval by the Town’s Licensing Authority.

***Article 14: Amend Zoning Bylaw
Wireless Telecommunication Tower/Small Wireless Facility**

VOTED UNANIMOUSLY a substitute motion to amend the Zoning By-Law of the Town of Shrewsbury, Section II -Definitions, Section VI – Table I Use Regulation Schedule, and Section VII – Development of Sites and Location of Buildings and Structures, as follows:

- 1) Amend the following definition for Wireless Telecommunication Tower by inserting the following **underlined** and **bolded** language and deleting the ~~struck through~~ language

Wireless Telecommunication Tower **and Facility**:

A facility for the provision of wireless communications services, including but not limited to **directional, omni-directional and parabolic antennas, structures or towers to support receiving and/or transmitting devices, cabinets, equipment rooms, accessory equipment.** ~~a freestanding or ground-mounted structure with antenna(s) or other devices, if any, together with any guy wires and accessory structures, which shall not include a service yard, a garage, or the outside storage of equipment and vehicles. A wireless telecommunications facility shall not include Small Wireless Facilities as defined herein.~~

- 2) Insert the following definition for Small Cell Wireless Facilities:

Small Wireless Facilities:

A Small Wireless Facility is a facility as defined in 47 CFR 1.6002(l), as such may be amended from time to time.

- 3) Amend the Use Regulation Schedule in Section VI by inserting the following **underlined** and **bolded** language for Wireless Telecommunication Tower and Facility and Small Wireless Facilities and deleting the ~~struck through~~ language.

	Rur AA	Rur A	Rur B	Res A	Res B-1	Res B-2	MF -1	MF -2	Apt	LB	<u>ICD</u>	CB	LCB	LI (8)	NB	O-R	LO-R
Wireless Communications Antenna (21)	N	SP <u>SP</u>															
Wireless Telecommunications Tower and Facility (18)	N	N	N	N	N	N	N	N	N	SP <u>SP</u>	N	SP <u>SP</u>	SP <u>SP</u>	SP <u>SP</u>	SP <u>SP</u>	SP <u>SP</u>	SP <u>SP</u>
<u>Small Wireless Facility within the Public Right of Way</u>	<u>Y</u>																
<u>Small Wireless Facility outside the Public Right of Way</u>	SP <u>PB</u>																

- 4) Amend the Use Regulation Schedule in Section VI by inserting the following **underlined** and **bolded** language for Wireless Telecommunication Tower and Facility and Small Wireless Facilities and deleting the ~~struck through~~ language.

(18) Wireless Telecommunications Towers **and Facilities** shall be no higher than one hundred fifty (150) feet above the surrounding

grade.

5) *Delete the following footnote in its entirety from the Use Regulation Schedule in Section VI and renumber the remaining footnotes in numerical order;*

~~(21) Wireless communications antennae shall only be attached to an existing building or structure, including but not limited to buildings, cupolas, water towers, smoke stacks, church spires, electrical transmission towers, sign pylons, and other similar features. Such devices shall include their ancillary cables and equipment shelters.~~

6) *Insert the following new language in its entirety in Section VII, as new subsection "V. Wireless Telecommunications Tower and Facility, Wireless Communications Antenna, and Small Wireless Facility"*

V. Wireless Communications Antenna, Wireless Telecommunications Tower and Facility, and Small Wireless Facility

The purpose of this section is to preserve the aesthetic character of the Town; to safeguard public safety, health and welfare; to protect against intangible public harm resulting from unsightly or out-of-character deployments; and to protect public infrastructure investments.

A. Wireless Telecommunications Tower and Facility

1) Wireless Telecommunications Tower and Facility
Administrative Site Plan Review

a. In accordance with 47 U.S.C. § 1455(a), any request for modification to an existing Wireless Telecommunications Tower and Facility that involves: (a) collocation of new transmission equipment; (b) removal of transmission equipment; or (c) replacement of transmission equipment; shall be considered an eligible facilities request and subject to Administrative Review only.

2) Site Plan Approval

a. Site Plan Approval by the Planning Board is required for the siting and construction of all Wireless Telecommunications Towers and Facilities. The information required for Site Plan Approval as set forth in the Planning Board's Rules and Regulations as may be amended.

3) Special Permit

a. The Shrewsbury Planning Board is hereby designated the Special Permit Granting Authority (SPGA) to grant Special Permits for Wireless Telecommunications Towers and Facilities and Wireless Communications Antenna.

4) Special Permit Requirements

b. Any proposed Wireless Telecommunications Tower and Facility or Wireless Communications Antenna shall be located in accordance with the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA) Regulations in effect at the time of the proposed construction. The operation of the Wireless Telecommunications Tower and Facility or Wireless Communications Antenna shall comply with all requirements of these agencies during the entire period of operation.

c. Any proposed Wireless Telecommunications Tower shall be located as follows:

- i. To the extent feasible all service providers shall co-locate on a single tower. Towers and accessory buildings shall be designed to structurally accommodate the maximum number of users.
- ii. Tower height shall not exceed 150 feet measured from the base of the tower to the highest point of the tower or its projection.
- iii. Fencing shall be provided to control access to the base of the tower which fencing shall be compatible with the scenic character of the Town and shall not be of barbed wire or razor wire.
- iv. The applicant shall demonstrate to the satisfaction of the Planning Board that the location of the tower is necessary and that the size and height is the minimum necessary for the purpose of the facility.
- v. There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty four-hour basis. All signs shall conform with the sign requirements of this bylaw.
- vi. To the extent feasible all network interconnections from the communications site shall be installed underground.
- vii. The tower shall minimize, to the extent feasible, adverse visual effect on the environment. The Planning Board may impose reasonable conditions to ensure this result, including painting, lighting standards and screening.
- viii. Removal of Abandoned Wireless Telecommunications Towers and Facilities. Any tower or facility that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such tower and facility shall remove same within 90 days of receipt of notice from the governing authority notifying the owner of such abandonment. If such tower or facility is not removed within said 90 days, the Town may cause such tower or facility to be removed at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

5) Performance Guarantees

- a. The Planning Board may require, as a condition of approval of a Special Permit issued pursuant to this Bylaw, that the applicant and/or its successor post an initial cash bond in a reasonable amount, as determined and approved by the Planning Board, to secure the removal of the tower and facility when discontinued or obsolete.
- b. The Planning Board may require, as a condition of approval of a Special Permit issued pursuant to this Bylaw, that the applicant and/or its successor post a maintenance bond, to secure the maintenance of an access road, site and tower(s), in amounts approved by the Planning Board.
- c. Any security required pursuant to the paragraphs above shall be held by the Town Treasurer.

B. Small Wireless Facilities

- 1) Located within Public Right-of-Way
 - a. All Small Wireless Facilities located within a Public Right-of-Way are allowed as of right. However, proponents shall be aware that proposed installation of Small Wireless Facilities in the Public Right-of-Way may be subject to regulations of the Shrewsbury Electric Light and Cable Operations (SELCO).
- 2) Located Outside of Public Right-of-Way
 - a. All Small Wireless Facilities located outside of a Public Right-of-Way shall require a Special Permit from the Planning Board. All such facilities shall comply with the Technical and Aesthetic Standards for Small Cell Siting published by the Shrewsbury Electric Light and Cable Operations (SELCO) as amended from time to time.

***Article 15: Amend Zoning Bylaw
Inclusionary Housing in the Town Center District**

VOTED UNANIMOUSLY a motion to amend the Zoning By-Law of the Town of Shrewsbury, Section VII.K – Inclusionary Housing, as follows:

1) *Insert the following **underlined** and **bolded** language in Section VII.2.a*

2. Applicability

a. This section applies to all developments involving the creation of five (5) or more dwelling units or five (5) or more lots for residential use in the following zoning districts: **Town Center District**, Rural AA, Rural A, Rural B, Residence A, Residence B-1, Residence B-2, Multi-Family or Apartment.

2) *Insert the following **underlined** and **bolded** language in Section VII.5.a(2)*

2) In the **Town Center District**, Residence B-2, Multi-Family and Apartment Districts, the permitted uses in a development with Inclusion Units shall be as set forth in Section VI Table I.

3) *Insert the following **underlined** and **bolded** language in Section VII.5.d(1)(2)*

1) In the **Town Center District**, Residence B-1 and B-2 Districts: a minimum of 12.5%.

Article 16: Parcel of Land on Lake Street

DEFEATED a motion to transfer \$250,000 from Free Cash to acquire and make improvements on the property at 439 Lake Street and authorize the Board of Selectmen to take all necessary actions to complete this transaction.

VOTED a motion to adjourn at 8:00 P.M.

