

MEETING MINUTES
BOARD OF SELECTMEN
April 14, 2016

At 6:30 PM, Chairman James P. Dawley, Jr. called the meeting to order with members Robyn Hunter and Candace McCann present. Also present were David W. Ramsay, Town Administrator; Greer Pugatch, Assistant Town Administrator; and Mona DiSciullo, Administrative Assistant.

ATTENDANCE: Kirk Florian, Bob McGinness, Barry Goldman, Janit Greenwood, Joanne Fisher, Andres Rapela, Bob Orsi, Elizabeth Alden, Geraldine Rapela, Mary Kalamaras, Betty Schlenker, Howard Fisher, Dave Krumsiek, Craig Rafter, Leo Dunn, David Harrington, Robert Bunn, Hal Beacham, Valerie Lin, Karen O'Sullivan; Mark Sarro, Planning Board; Jim Repetti, Town Moderator; Kate Cannie, Warrant Committee

PRESS: Maureen Sullivan, Dover-Sherborn Press

Discuss Proposed Layout of The Meadows and Article 10 re Acceptance of Hawthorne Lane and Clover Circle as Public Ways

Residents of The Meadows appeared before the Board to discuss the proposed layout of The Meadows and their Citizens' Petition on the Warrant requesting that Dover accept Hawthorne Lane and Clover Circle as public ways. As part of the statutory process required for acceptance, the residents had provided the Selectmen with a layout plan of The Meadows, prepared by a professional engineer, which was referred to the Planning Board for their review, comments, and recommendations, within a 45-day period, regarding acceptance of the streets. It was also sent to the Zoning Board of Appeals and Town inspectors for their review, comments and recommendations.

A memorandum executed on April 8, 2016 by Mike Angieri, Town Engineer; Craig Hughes, Superintendent of Streets, and Gino Carlucci, Town Planner, cited issues concerning construction standards, potential operational issues, and original intent of the Comprehensive Permit Application, recommended against the Town's acceptance of Hawthorne Lane and Clover Circle as public ways. The Zoning Board of Appeals, in its April 14, 2016 memorandum which was received minutes

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before the start of the Selectmen's meeting, opposes the acceptance by the Town of those streets due, in part, to issues related to the Comprehensive Permit Application and the basis on which the Zoning Board considered and approved the 40B Application .

Speaking on behalf of The Meadows, Betsy Alden informed the Board that they received the Planning Board's memo on April 12, and on April 13, representatives of The Meadows met with Gino Carlucci and Mike Angieri to discuss their findings. Mrs. Alden highlighted points from a memorandum sent on April 13, 2016 to the Selectmen by Meadow residents commenting on the findings of the Planning Board, and in addition to questions and answers, there was a brief discussion about the approval of streets for snow removal. Due to the lack of support from the Town's boards and officials, the residents and Selectmen determined that it was not wise to move forward with the Article and that the best course of action would be for The Meadows to withdraw the Warrant Article without prejudice. While expressing the residents' disappointment with the decision of the boards and in the timing of the process, Mrs. Alden viewed this as an opportunity to assess the Town's position and concerns, rectify the situation, and pursue the matter again at a later date. Mrs. Alden very much appreciated the guidance and advice of the Town Administrator and Town officials, and Mr. Ramsay and the Selectmen applauded her efforts on behalf of The Meadows.

Discuss Off-Street Parking Requirements Under the Dover Zoning Bylaw

The Town has received an application seeking Site Plan review and approval to locate a Dunkin' Donuts in an existing building at 14 Dedham Street. The Planning Board has asked the opinion of Town Counsel on the Town Zoning Bylaw §185-34(A) governing off-street parking requirements as it applies to this application. In a detailed memorandum to the Planning Board dated April 7, 2016, Town Counsel discussed the bylaw requirement and proposed use, prior uses at the site and applicability of the bylaw to other locations, enforceability of the bylaw, and clarification of the Planning Board's Role in Site Plan review. Based on the facts and law presented in the memo, Town Counsel advised that the Town should exercise caution in requiring that the application comply with the zoning bylaw and unless the Planning Board can show that Dunkin' Donuts would create substantially greater parking demand than similarly situated uses or some other legitimate reason to enforce the control requirement of the bylaw that has not been previously enforced, a denial of the application may be difficult to defend in court. Town Counsel's opinion was shared at the Planning Board meeting on Monday, April 11, 2016.

Ms. McCann thanked the Planning Board for their many hours of work on this particular issue.

Review Article Motions

Mr. Dawley reviewed briefly the 27 Articles appearing on the FY16 Warrant which will be presented for voting at Town Meeting on May 2, 2016. Of those 27 Articles, 14 are annually recurring, and 13 are Special.

Execute May 16, 2016 Town Election Warrant

The Town Election will be held on Monday, May 16, 2016, and the Annual Town Election Warrant will list the open positions for elected officials for various Town boards and committees and includes Question One pertaining to Dover's share of bonds to be issued by the Minuteman School District to pay costs related to a new district school building.

Mr. Dawley moved to execute the May 16, 2016 Town Election Warrant, seconded by Ms. McCann; it was unanimously voted.

The executed Town Election Warrant will be mailed to residents on Friday, April 22, 2016.

Appoint One-Day Constables for May 16, 2016 Town Election

Because Dover's three constables are listed on the Town's Election Ballot as running for the three open Constable positions, they are not allowed to work during the May 16 Annual Town Election. Felicia Hoffman, Town Clerk, has requested that the Board appoint Pete Sherman, Lou Theodos and Chris Jackman to serve as one-day Constables at the Town Meeting on May 16.

Mr. Dawley moved to appoint Peter Sherman, Lou Theodos, and Chris Jackman to serve as one-day Constables at the Town Meeting on May 16, seconded by Ms. McCann; it was unanimously voted.

Vote to Accept and Expend Gifts from The Dover Foundation and Open Fields

In 2015 the Dover Historical Society worked with the Caryl Management Advisory Committee to create a permanent exhibit wall at the Caryl Community Center (CCC). Twelve "easy change" picture frames with sliding doors were purchased and hung on the first floor and have been used for rotating exhibits. Both The Dover Foundation and Open Fields would like to purchase similar frames to be hung outside their practice spaces, Rooms 215 and 217 at the CCC, for their exhibits, and each has offered a gift in the amount of \$130.03 to be used towards the cost of those frames. CMAC is recommending the new frames. Mr. Dawley thanked both organizations for their generosity and commented that the frames and exhibits are a welcomed addition to the Center.

Mr. Dawley moved to accept from The Dover Foundation and Open Fields a gift in the amount of \$130.03 each to be expended for the sole purpose of the purchase of picture frames for the walls of the Caryl Community Center, seconded by Mrs. Hunter; it was unanimously voted.

Other Business:

Approve Chapter 90 Program Reimbursement Request

The Massachusetts Department of Transportation Chapter 90 Program entitles municipalities to reimbursement of documented expenditures for approved roadway projects.

Mr. Dawley approved a Reimbursement Request in the amount of \$542,000 to cover costs associated with the resurfacing of Hartford, Haven, Pine and Powissett Streets, seconded by Mrs. Hunter; it was unanimously voted.

Prior Notices – Building Maintenance and Water

Mr. Dawley approved a Prior Notice in the amount of \$7,000 for Building Maintenance to cover the costs of anticipated utility expenses at 46 Springfield Avenue through the end of FY16. Monies were not originally allocated in FY16 for this expense as costs were to be covered by the original property owner who leased the house back from the Town but who, subsequently, terminated the lease sooner than expected leaving the Town to assume related costs.

Mr. Dawley approved a Prior Notice in the amount of \$20,742 for Building Maintenance to cover the unanticipated expenses for repair/replacement of standup jacks for the elevator, heat timers, circulator pump parts, and the AC compressor at the Town House, Highway Department and Library.

Mr. Dawley approved a Prior Notice in the amount of \$6,400.71 for the Water Department to cover unanticipated expenses for repair/replacement of the main pump due to mechanical failure.

Special Licenses

Six Special Licenses were requested: April 14 (retroactive), May 13, May 21, May 22, and May 31, all at the Connors Center and June 16 at Elm Bank.

Mr. Dawley moved to accept all licenses as delineated, seconded by Ms. McCann; it was unanimously voted.

Powissett Farm Trail Races

Sun Multisport Events requested permission to again hold the Powissett Farm Trail Race series at Powissett Farm on May 30 and October 23, 2016 to help raise funds and awareness of Powissett Farm's property and programs. Police Chief McGowan was satisfied with the plans and details as presented by the group and had no reservations.

Mr. Dawley moved to approve the Powissett Farm Trail Race series at Powissett Farm on May 30 and October 23, 2016, seconded by Mrs. Hunter; it was unanimously approved.

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Approve March 31, 2016 Meeting Minutes

Mr. Dawley moved to approve the minutes of the March 31, 2016 Open Session meeting, seconded by Ms. McCann, it was unanimously voted.

Citizens' Comments

Norfolk County Register of Deeds, William P. O'Donnell, will hold Office Hours in the Selectmen's Meeting Room at the Town House from 10 AM until 12 PM on Thursday, May 12, 2016 to address citizens' questions or concerns regarding Registry matters. No appointment is necessary.

Mr. Dawley encouraged Dover's citizens to attend the Memorial Day observance on Monday, May 30 at 4 PM noting that it is a wonderful program for all ages to honor those who have served the United States. He thanked the Memorial Day Committee for their fine work in coordinating this yearly event.

Adjournment

At 7:45 PM, Mr. Dawley moved to adjourn, seconded by Mrs. McCann; it was unanimously voted.

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Robyn Hunter, Clerk