



Tuesday, March 15, 2022
Hanson Board of Selectmen
Selectmen's meeting room, Town Hall
542 Liberty Street, Hanson, MA 02341

Members Present: James Hickey, Matthew Dyer, Laura FitzGerald-Kemmett, Joseph Weeks
Members Absent: Kenny Mitchell
Others Present: Tony DeFrias, Town Planner; Lisa Green, Town Administrator; Lucia Silveira, Executive Assistant; Arlene Dias, Board of Health

I CALL TO ORDER

Chairman Dyer called the meeting to order and led the Pledge of Allegiance followed by a moment of silence for the recent passing of Bill Seward. Mr. Seward was a former veteran and a retired town employee.

II PUBLIC ANNOUNCEMENTS AND UPCOMING MEETINGS

Mr. Weeks read the public announcements and upcoming meetings.

III NEW BUSINESS

MBTA Draft Guidelines Presentation by Town Planner

Town Planner, Tony DeFrias, stated that the state of Massachusetts has created guidelines for towns and cities that have public transit, MBTA specifically. Because Hanson is a commuter rail town, the state has issued guidelines that require towns with transit to create a multi-family zone by right. A part of the compliance for 2022 with the state is that these guidelines are presented to the Select Board at a public hearing. The governor signed an economic development package, which is known as chapter 358 of the acts of 2020. Section 18 of that chapter added a new section to the Zoning Act which is Chapter 48 of the general bylaws. This is applicable to all MBTA communities. The purpose of Section 3A is to encourage MBTA communities to adopt zoning districts where multi-family zoning is permitted as of right and that meet other requirements set forth in the statute. An MBTA community shall have a zoning ordinance or bylaw that provides for at least one district of reasonable size in which multi-family use housing is permitted as of right, provided however that such family housing multi-family housing shall be without age restriction and suitable for families with children. A district of reasonable size is one that has a minimum gross density of 15 units per acre. Chapter 40B is about 8 units per acre. Chapter 40R (mixed use) is 12 units per acre. The zone has to be located not more than half a mile from the commuter rail station. The minimum size the state wants is 50 acres. To comply with Section 3A, the district must be 'as of right', and that the construction occupancy of the multi-family housing is allowed in the district without the need to obtain a discretionary permit or approval site plan. It allows for a site plan review and approval by the town. The town would

determine which board would control that site plan review process (i.e., Zoning Board or Planning Board).

Mr. DeFrias stated that an overlay district is an acceptable way to achieve compliance with Section 3A, provided that;

- *Such an overly district should not consist of a collection of small, non-contiguous parcels.*
- *At least one portion of the overlay district land areas must include at least 25 contiguous acres of land.*
- *No portion of the district that is less than 5 contiguous acres land will count toward the minimum size requirement.*

“It is important to understand that a multi-family district’s unit capacity is not a mandate to construct a specified number of housing units, nor is it a housing production target. Section 3A requires only that each MBTA community has a multi-family zoning district of reasonable size.”

Hanson is a commuter rail town, which means that 15% minimum multi-family units as a percentage of the total housing stock is required.

The DHCD will deem a zoning district to be compliant with Section 3A’s minimum gross density requirement if the district-wide gross density is met. This will include land that is occupied by public rights of way and any recreational, civic, commercial and other nonresidential uses. The other requirement is achieving district-wide gross density by sub-districts. To comply with the statute’s density requirement, an MBTA community may establish sub-districts within a multi-family district, with different density requirements and limitations for each sub-district, provided that the gross density for the district as a whole meets the statutory requirement of not less than 15 multi-family units per acre.

Mr. DeFrias elaborates that in order to be compliant with Section 3A, a multi-family district must be without age restrictions and must be suitable for families and children.

“The DHCD will make determinations of compliance with Section 3A upon request from an MBTA community, in accordance with the following criteria and schedule. An MBTA community may receive a determination of full compliance when it has a multi-family district that meets all of the requirements of Section 3A. An MBTA community may receive a determination of interim compliance for a limited duration to allow time to enact a new multi-family district or amend an existing zoning district in order to achieve full compliance with Section 3A.”

Mr. DeFrias discusses the timeline expectation for the MBTA communities. He mentioned that the deadline for public comments for a commuter rail community was end of March. The deadline to submit the community information is May 2, 2022. The deadline for interim compliance is December 31, 2022. The action plan deadline is July 1, 2023. The deadline for adopting the new zoning is December 31, 2024. The deadline to apply for determination of

compliance is March 31, 2024. Mr. DeFrias explains that we have time, but it's best to stay ahead of the curve.

After concluding the presentation, Chairman Dyer asked if there is a way to designate affordable housing units in this process. Based on his understanding, Mr. DeFrias explains it is a possibility. It's a definite maybe and an underlying yes. He states that he's been examining 40R mixed use which allows for affordable. The criteria for MBTA zoning and 40R zoning is similar. Mr. DeFrias' understanding is that there would be the possibility of creating an MBTA zone with a 40R overlay.

Ms. Kemmett asked Mr. DeFrias to elaborate on the tax incentives of families moving into the Town. Mr. DeFrias explains that 40R allows the town to acquire funds for creating affordable housing. If the taxes incurred cannot pay for a child, the town can apply for funds through 40S. Mr. DeFrias also mentions that in starting the bylaw, the town will address how to create a zone that allows for multi-family construction as well as make room for septic systems.

There were additional discussions regarding compliance with local bylaws. Mr. DeFrias emphasized the site plan review that was discussed earlier will allow the town to have some control. There were also additional discussions regarding septic systems and accommodating more families.

Mr. Dyer expressed that residents may be nervous about high density and changing characteristics of the town. He emphasized that he would like maximum tree plantings and incorporate it into the bylaw.

Ms. Kemmett stated that once we are in the planning stages that a visioning session with the Planning Board, Board of Selectmen, Economic Development Committee and the general public is necessary. The objective is to have the people's concerns reflected in the bylaw.

MOTION by Joe Weeks, seconded by Laura Kemmett to acknowledge tonight's presentation by the Town Planner, Tony DeFrias. ***Vote 4-0***

Annual Green Hanson Clean Up, Green Up and Earth Day on April 23, 2022

Marianne Dimascio mentioned that there may be vendors selling items at event. The Board asked Ms. Green to follow up with Town Council to see if there are any regulations for events that have vendors selling items.

MOTION by Ms. Kemmett, seconded by Joe Weeks to vote Annual Green Hanson Clean up, Green Up and Earth Day on April 23, 2022. ***Voted 4-0***

Pond Management Endangered Species Survey

MOTION by Joe Weeks, seconded by Laura Kemmett to approve Pond Management Endangered Species Survey. **Voted 4-0**

Fire Chief Disclosures

MOTION by Jim Hickey, seconded by Joe Weeks to acknowledge receipt of Chief Thompson's two 268A disclosures. **Voted 4-0**

Discuss possible projects for ARPA funds

Ms. Green explained that the ARPA funds is being administered by the Plymouth County Commissioners. A portal has been created to look at the different categories for ARPA projects. The two projects that work for municipalities are the economic development and water/sewer and infrastructure. The two portals that may work that are allowable under COVID are sidewalk improvements to vacant and abandoned properties. Ms. Green thinks Maquan may fall under this category. Hanson has 3 years to use the \$1,142,353.00 that has been allocated. Ms. Green asked the board if they would like to use these funds for the Maquan demolition or would they rather use the funds for smaller projects like sidewalks for Main Street. Ms. Kemmett mentioned that a possible project could be the connectivity of Main Street to the Plymouth County Hospital (e.g., sidewalk and/or bike path). Chairman Dyer suggested that Ms. Green discuss competing funds with the Town Accountant. Ms. Green will investigate all formalities with respect to how the funds can be spent.

Chairman Dyer would like to add *ARPA Funds Update* as a recurring agenda item.

Visitor Badges – IT Update

Mr. Moberg made the board aware that he is actively updating the badging system, with help from Charlie Baker. He emphasized that some boards and committees will no longer have key card access. There will be visitor badges that committee members will be able to reserve when they have a meeting outside of Town Hall hours. Ms. Kemmett and Chairman Dyer suggested that each committee have an assigned visitor's badge.

Prayer Services Request

MOTION by Ms. Kemmett, seconded by Joe Weeks to approve request by Deborah Dedominic from Holy Apostles Parish to hold prayer services in front of Town Hall on Saturday, March 19, 2022. **Voted 4-0**

Budget Update

Ms. Green mentioned that she received an email with an update of the school assessment after some errors in calculations were discovered. This update brings the assessment down about \$156,000.00. The Town's deficit is now \$829,000.00. Ms. Green asked if the board can recommend the Board of Health increase sticker fees at the transfer station. The subsidy for the transfer station is \$300,000.00. Camp Kiwanee's subsidy is for \$150,000.00. Camp Kiwanee is doing better with events. The town is looking to decrease the subsidy by \$50,000.00 to bring the budget down. The hope is that the schools can reconsider their 5.76% assessment. The school is

rounding down their assessment to about 3.7% which is still high. The revenue intake is 3.49%. Covid, supply and personnel issues have caused delays in building and our new growth. Chairman Dyer would like a cash flow projection from Recreation and the Transfer Station.

Arlene Dias, Board of Health member, mentioned that they have raised the transfer station stickers fees from \$30 (for 3 years) to \$50 (\$100 for 2 years) as of July 2022. Ms. Dias also mentioned that next month the Board of Health will discuss raising all other fees. Ms. Dias will look into updating the Board of Selectmen with budget updates at a future meeting. She will reach out to Ms. Green with a date.

Mr. Hickey stated that he does not want to lose personnel. Ms. Kemmett expressed disappointment that the Towns let the district know how much they can afford and the assessment was still high. Ms. Kemmett and Mr. Weeks also expressed the same sentiment as Mr. Hickey. There will be no layoffs. Mr. Weeks stated that we are in crisis and we have to solve this issue now. Ms. Kemmett emphasized that a strategic plan is necessary. Ms. Green stated that she would reach out to get a proposal for a strategic plan. Ms. Green also mentioned revisiting the meals tax, which can be beneficial to the town with no burden. Mr. Hickey stated that the Board is not looking to raise taxes.

RIGHT OF FIRST REFUSAL – 902 Main St., Unit 47, Hanson, Ma

MOTION by Laura Kemmett, seconded by Jim Hickey to waive the right of first refusal to purchase 902 Main Street, Unit 47, Hanson, MA. ***Voted 4-0***

IV. OLD BUSINESS

Fire Chief Contract

MOTION by Jim Hickey, seconded by Joe Weeks to approve the Fire Chief's contract (FY20-FY23). ***Voted 4-0***

Highway Contract

MOTION by Joe Weeks, seconded by Laura Kemmett to execute Highway Integrated Collective Bargaining Agreement. ***Voted 4-0***

Police Chief Contract

MOTION by Jim Hickey, seconded by Joe Weeks to execute Police Chief Contract for 3 years. Agreement. ***Voted 4-0***

V. APPOINTMENTS

MOTION by Joe Weeks, seconded by Laura Kemmett to appoint Annmarie Bouzan to fill the Administrative Assistant vacancy in the Fire Department upon the retirement of the current Administrative Assistant (date to be determined). ***Voted 4-0***

MOTION by Joe Weeks, seconded by Laura Kemmett to appoint Edwin Carter Heal to the Conservation Commission. ***Voted 4-0***

MOTION by Joe Weeks, seconded by Laura Kemmett to appoint Adam Valachovic to the Social Media Committee. **Voted 4-0**

MOTION by Joe Weeks, seconded by Laura Kemmett to appoint Greg DeLue to the Parks and Fields Commission. **Voted 4-0**

MOTION by Joe Weeks, seconded by Laura Kemmett to appoint Michael Driscoll to the Parks and Fields Commission **Voted 4-0**

ONE DAY LICENSES:

MOTION by Joe Weeks, seconded by Laura Kemmett to approve the one-day liquor licenses as printed on the agenda. **Voted 5 - 0**

VI. APPROVE OPEN SESSION MEETING MINUTES

MOTION by Joe Weeks, seconded by Laura Kemmett, to approve open session minutes (01/04/22, 02/08/22 and 2/22/22) as presented. **Voted 4-0**

TOWN ADMINISTRATOR REPORT

1. Ms. Green updated the board on what the Town Administrator's office does on a daily basis. She mentioned that she and Lucia have been tracking phone calls. In the span of a two week, the TA's office answered 156 calls. Ms. Green stated that she averages anywhere from 65 to 80 emails a day. Some of those messages are sales, but quite a few require attention. There are personnel, resident, grant and legal issues that require immediate attention. The office is very busy with the administrative functions as well as requests from other departments.
2. Ms. Green and Jillian Tully are currently working on and gathering information for the Grant Writer/Procurement position. The objective is to create the position possibly at Town Meeting, and then possibly have it funded or filled in October.
3. Ms. Green is also working on a Maternity/Paternity Policy.
4. Ms. Green mentioned that she received a proposal for the economic development manual for the Community Compact Grant. She is still working on the wage and classification study.
5. Ms. Green stated that there has been a number of open meeting complaints and public records requests. She mentioned that under the law that the town is allowed to charge a nominal fee for public record requests. Ms. Green created a fillable invoice, charging a \$25 flat fee and .05 cents per copy. It's a lot of work searching and compiling records.
6. Ms. Green mentioned that she had a conversation with the Town Planner regarding Hanson's efforts towards the economic development, strategies and the MBTA community housing act. The South Shore Chamber of Commerce thinks the Town is doing a great job.
7. Ms. Green gave an update on the IT Community Compact Grant. The Final report was submitted and work continues on the permitting software for the departments. Permit Eyes is the vendor working on the permitting software programs. They have completed the fire module. They will then work on Building, Health, Planning, Zoning and the Board of Selectmen.

8. Ms. Green stated that requests for the Zoning Board of Appeals investigation have been completed and forwarded to the attorney conducting the investigation. The Town is waiting for the investigation results.
9. Ms. Green stated that TMS is doing a more in depth financial analysis of the de-regionalization study. TMS will provide options with dollar figures attached based on the FY23 budget. There will be no additional charges for this work.
10. Ms. Green assisted the Conservation Commission with submitting a progress report for the Mass Trails Grant, which will make improvements to Bay Circuit Trail.
11. Ms. Green submitted the Green Communities final grant report. Ms. Green stated that applying for grants takes a lot of work. She further stated that grants are 10 to 15 pages of information. Applying for grants also involves gathering pictures, opinions from people doing the work, progress reports as well as a final report.
12. Ms. Green mentioned that Town Meeting articles are in progress. The warrant has been drafted. The warrants will be presented to the board in the next Board of Selectmen meeting.
13. Ms. Green concluded by reiterating how busy the Town Administrator office is and the great job that is currently being done in handling calls, walk-ins, and all the other requests that go through the office.

ADJOURNMENT

MOTION by Kenny Mitchell, seconded by Mr. Hickey, to adjourn to Executive Session in accordance with M.G.L., Chapter 30A, Section 21a, Exception (2) To conduct strategy session in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; Exception (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

To wit: Town Administrator, Police union FLSA Agreement

Exception (2) Town Administrator contract

Exception 3: Discuss and vote on Hanson Police Relief Association/MassCOP Local 408, FLSA Overtime Payment Agreement.

Respectfully submitted,

Lucia Silveira

Executive Assistant