

**MINUTES  
SHARON SELECT BOARD**

*April 27, 2022*

The meeting of the Sharon Select Board was called to order at 5:00 pm by Select Board Chair William Heitin remotely via Zoom. Select Board members Hanna Switekowski and Emily Smith-Lee were in attendance as was Town Administrator Frederic E. Turkington, Jr. and Assistant Town Administrator, Lauren Barnes. The meeting commenced with the Pledge of Allegiance.

**Update by Governance Study Committee**

Mr. Pietal provided the Board with an update of the recent activities of the Governance Study Committee. A summary was also included with the Board's meeting materials. He explained that the committee has arranged to have guests from several communities in Massachusetts come to discuss topics such as open Town Meeting, Representative Town Meeting, and electronic voting. The committee is finalizing a survey which will be distributed to those who attend Town Meeting on May 2. Mr. Pietal also provided an updated version of the expected schedule. The committee is approaching the end of the fact-finding phase of their work and will hold public forums in late May or early June before beginning deliberations. They will then prepare for report writing in the fall.

Mr. Pietal asked whether any new applications have been received from individuals interested in the vacancy as well as whether the Board may consider funding of up to \$500 for printing expenses related to surveys. The Board agreed to the funding and advised that the vacancy has been posted on the webpage. Applications received will be shared with the committee.

The Board thanked Mr. Pietal for his update and taking the time to meet with them this evening.

**Proposed Memorandum of Understanding – 70-76 Cedar Street Development**

Mr. Heitin explained that the process behind the development of this property began over two years ago as a result of discussions with the Building Inspector at the time, Mr. Joe Kent. The Glaser Family has negotiated with Town Counsel and the Town Administrator. This property is restricted by septic requirements. There is the possibility for construction of up to ten units. This development project would resemble the 12 units next to Eli Apartments as well as 303 North Main Street project and will have a positive impact on the Town's 40B housing inventory. Mr. Heitin explained that the Memorandum of Understanding is standard, and Mr. Khoury is here to answer any questions.

Ms. Smith-Lee wished to make clear that the proponent must still go through the permitting processes with the Planning Board, Conservation Commission, and Zoning Board of Appeals, this action seeks only Select Board support for the project. Ms. Switekowski mentioned that the proposal appears comprehensive. She feels it is important to add to the Town's affordable housing inventory, especially with the State initiative for MBTA communities.

Mr. Heitin recused himself from a vote.

**MOTION:** To approve the memorandum of understanding as presented for development of 70, 72, 74, and 76 Cedar Street.  
(Smith-Lee- Switekowski)

Switekowski: AYE  
Smith-Lee: AYE  
Heitin: ABSTAIN

**2-0-1 PASSES**

### **Recreation summer concert series beer gardens**

The Recreation Advisory Committee has recommended consideration of allowing up to seven beer gardens with the Summer Concert series. Ms. Berger has drafted a Request for Proposals. This would be a different program than the previous outdoor dining events at the Community Center.

This program would be bid like the way the snack vendor is at the beach. The minimum proposed fee is \$75 per concert. The PILOT program worked well last year, and both were very successful events. This year, the program would be open to different vendors which allows for the possibility that the vendor may not be the same at every event.

It was agreed that the program would be evaluated week-to-week and if problems are encountered, adjustments will be made. The Board felt it prudent to offer up to seven events in the RFP and evaluate the responses. If the Police Department feels that a detail is needed, the vendor will be responsible for acquiring same. Ms. Berger also added that the language in the RFP accounts for inclement weather or difficulties with crowds or safety.

**MOTION:** To authorize the Recreation Department to solicit requests for proposals for up to 7 beer gardens.  
(Smith-Lee - Switekowski)

Heitin: AYE  
Switekowski: AYE  
Smith-Lee: AYE  
3-0 **PASSES**

### **Outdoor water use restrictions**

Mr. Heitin explained that the outdoor water use restrictions are standard and has been in effect every year for the past 16 years now. The recommendation from Mr. Hooper remains an odd/even watering schedule during the hours of 6-8 pm

**MOTION:** To approve the outdoor water use restrictions effective May 1 through October 1, 2022.  
(Switekowski - Smith-Lee)

Heitin: AYE  
Switekowski: AYE  
Smith-Lee: AYE  
3-0 **PASSES**

### **Purchase and sale agreement – 94 South Main Street**

There is an opportunity to purchase the property next to Town Hall. As the property is in disrepair, the Town can acquire it at reasonable price. The Board has heard some discussion about purchasing the home located at 96 South Main Street. It was explained that it is not in the Town's best interest to purchase at above market value. Mr. Turkington advised that the Purchase and Sale Agreement which was included with the Board's meeting materials will not be executed until after an affirmative vote of Town Meeting. Transfer of title will be sometime in May.

**MOTION:** To approve the purchase and sale agreement for 94 South Main Street.  
(Heitin – Smith-Lee)

Switekowski: AYE  
Smith-Lee: AYE  
Heitin: AYE  
3-0 **PASSES**

### Special counsel – PFAS litigation

Mr. Heitin recused himself from voting on this matter. This topic was tabled at the last meeting. Ms. Smith-Lee has since discussed this issue with Water Management Advisory Committee Chair David Crosby. She has also been able to research both firms since the last meeting. Having done so, she is comfortable with Mr. Crosby's analysis and with retaining Stag Luizza LLC and Glaser Legal PC as Special Counsel for the Town's interest in a class action lawsuit for PFAS contamination.

**MOTION:** To authorize retention of Stag Luizza LLC and Glaser Legal PC as Special Counsel for the Town of Sharon's interest in a class action lawsuit for PFAS contamination and authorize Mr. Crosby to negotiate the financial terms.  
(Smith-Lee - Switekowski)

Switekowski: AYE  
Smith-Lee: AYE  
Heitin: ABSTAIN  
2-0-1 **PASSES**

### Support for Town Meeting articles

<u>Article #</u>	<u>Article</u>	<u>Sponsor</u>	<u>Vote</u>
15	Lake Massapoag Advisory Committee	Select Board, Lake Management Study Committee, and Conservation Commission	Support 3-0

### MA Housing draft regulations

The State legislature passed initiatives last year to increase housing along MBTA facilities and communities which neighbor those with commuter rail stations.

The Board indicated that they share the concerns expressed in the *Boston Globe* article of April 23 which was included with their meeting materials. It seems the initiative aims to circumvent 40B housing regulations. The highlights of the initiative include:

- Multi-family zoning needs to be allowed by right within a half mile of the of the train station (currently special permit needed in the mixed-use overlay district);
- The multi-family district needs to be at least 50 acres in size (Sharon's mixed use overlay district is 25 acres, and would need to be expanded);
- Up to 987 multi-family units must be allowed within the multi-family district. This amounts to 15% of Sharon's housing inventory due to it being a commuter rail community. As Sharon has no municipal sewer infrastructure, it is possible that the 50-acre threshold may need to be increased to 100 acres; and
- Regulations must be adopted by 2023 or certain sources of grant funding may be in jeopardy.

Ms. Smith-Lee wished to confirm whether this is a topic for discussion and a vote is not required at this time. Mr. Turkington affirmed and explained that the Select Board must have a conversation then and provide a status report by May 2 to maintain initial compliance. Failure to rezone accordingly would result in forfeiture of future eligibility and consideration for grant funding like MassWorks. There is concern that the consequences may extend to other funding such as Chapter 90 in the future.

### Consent Calendar

## Review and approve the consent calendar

- I. Vote to approve the following minutes:
  - a. April 12, 2022 open session
- II. Vote to approve the following one-day liquor license requests:
  - a. Ward's Berry Farm Tulip Event, 617 South Main Street on May 7, 2022 from 2:00 to 6:00 pm
  - b. Young Israel of Sharon Champagne Brunch and Annual Carnival on May 22, 2022 from 12:00 noon to 5:00 pm
- III. Vote to accept a gift of \$200 from the Garcia family or the Kafka Learn to Sail Scholarship
- IV. Vote to approve agreement for outdoor dining/beer garden at the Sharon Community Center

**MOTION:** To approve the consent calendar.  
(Smith-Lee - Switekowski)

Heitin: AYE  
Switekowski: AYE  
Smith-Lee: AYE  
3-0 **PASSES**

## Town Administrator's report

Mr. Turkington reported that there were 12 pieces of correspondence received between April 8 and 25 including:

- Public records request for marijuana HCA's
- Notice from MAPC confirming willingness to assist Governance Study Committee with research
- Emails from residents of the Juniper Road neighborhood regarding illegal dumping and construction debris
- Notices/invitations to zoning recodification hearings,
- DAR plaque dedication on May 21 at 11AM, and
- plans to film a movie in Sharon based on tennis professional and spouse/coach

Assessor Jeff Funk is leaving on April 29 to be the Assessor for the Town of Milton. Mr. Turkington is working with the Board of Assessor's to identify a new Assessor we hope to have in place by May 31.

DPW is working collaboratively with Walpole on resident requests to ban tractor trailer truck traffic on South Walpole Street

Emergency Management Director Jim Wright advises that FEMA approved the disaster relief funds for the January 28-29 winter storm. We will file for reimbursement of related costs.

Conservation Commission is surveying town owned land for illegal uses (typically boat storage, patio furniture, use of fire pits, etc.) and will notify abutters and identified offending parties to remove items and cease illegal use.

Quarterly pass sales for train station parking were just under 200 for April-June 2022 period. It is recommended that an additional 56 daily spots be numbered on the Boston side from the current dividing point to the next telephone pole away from platform.

We have submitted a request through US Rep. Jake Auchincloss for Federal funding for the proposed water treatment facility to further reduce or eliminate water rate impact to finance the project. It will be funded through water retained earnings (\$800K), ARPA funds (\$5.3M), \$150K grant from state, and low interest loans from the state, with the balance from borrowing (Town bonding) pending this new funding request.

We have retained KP Law to review the power purchase agreement and lease arrangement for the SOLECT energy project on the new HS building roof.

The Warrant hearing was held on Monday evening. TM logistics were discussed, including the option to wear masks, socially distanced seating as space/attendance allows. FinComm later voted to support LMAC revised committee charge, zoning recodification pending Planning Board advancing the article after tomorrow's public hearing, and Gallery sewer easement articles.

The next meeting will be Tuesday, May 10 at 7PM, in-person at Sharon Town Hall. The anticipated agenda items include:

- Firefighter pinning ceremony
- FY2023 budget implementation items on consent calendar
- Anticipate LIP proposal for land adjacent to Brookmeadow Country Club on the Sharon/Canton town line on Edge Hill Road
- Review and approval of documents relating to power purchasing agreement for Sharon HS solar roof project.

#### **Topics not anticipated within 48 hours of posting**

Ms. Switekowski made the following announcements:

- Today is Holocaust Remembrance Day and there will be a commemoration at Temple Sinai.
- Today is also national denim day.
- April is domestic violence awareness month and there are support services available in Town through groups like HUGS. The first ever Emma's run will take place on Sunday, May 1. A large turnout is expected, and residents may experience delays like Massapoag.
- There will be a Spring Market on Sunday organized by Sharon Historical Society.

Ms. Switekowski encouraged residents to check out these events and looks forward to Town meeting next week.

#### **Adjourn**

**MOTION:** To adjourn at 5:44 pm  
(Smith-Lee - Switekowski)

Heitin: AYE  
Switekowski: AYE  
Smith-Lee: AYE  
3-0 **PASSES**

#### List of Documents

- Summary
- Draft Memorandum of Understanding
- Draft RFP
- Memo
- Purchase and sale agreement
- Letter from Rodman, Rodman, and Sandman
- WMAC email
- Sample contract
- Revised Article 15
- Draft guidelines for MBTA communities

- How to comply in 2022
- Boston Globe article
- Minutes
- One day liquor license applications (2)
- Memo
- Agreement