

MINUTES
SHARON SELECT BOARD
October 29, 2019

The meeting of the Sharon Select Board was called to order at 7:00 pm in the Meeting Room at the Sharon Town Hall with Chair William A. Heitin; Select Board Member Emily E. Smith-Lee; Town Administrator Frederic E. Turkington, Jr.; and Assistant to the Town Administrator, Lauren Barnes in attendance.

Chair Heitin began the meeting with an announcement that the first tenant, Market Basket, has signed with the Sharon Gallery. There are still some hurdles to overcome but they are not insurmountable. Market Basket will be filing for permits next week with the Sharon ZBA.

Pole Location Hearing – 10 Merchant St.

MOTION: To open the pole location hearing for 10 Merchant Street.
(Smith-Lee-Heitin) 2-0 **PASSES**

Peter sent a memo to the Select Board regarding this project. This pole is being installed to accommodate a solar facility. Engineering Division found no issues with the request.

MOTION: To close the pole location hearing for 10 Merchant Street.
(Heitin-Smith-Lee) 2-0 **PASSES**

MOTION: To approve the pole location at 10 Merchant Street.
(Smith-Lee-Heitin) 2-0 **PASSES**

Pole Location Hearing – East Street near Mann’s Hill

MOTION: To open the pole location hearing for East Street near Mann’s Hill Rd.
(Heitin-Smith-Lee) 2-0 **PASSES**

Applicant stated in their application that they need an aerial easement. Mr. O’Cain’s investigation found that the pole is situated where home will be. The pole relocation makes sense from that point of view. Appears that pole must be relocated. It has been proposed that the location be moved to the property line. Mr. O’Cain hasn’t spoken to the abutter. It is the position of the Engineering Division that if there is no public feedback in opposition to the application and the pole is located at least the minimum amount required off the roadway, then they would have no further comment or oppose the application. This comes about due to construction of a new home and a change in the driveway layout.

Mr. O’Cain clarified for the board that he cannot see the rationale for any aerial trespass nor can he speak to its validity. Mr. O’Cain finds that the logical reason for the move is not stated in the application. Mr. O’Cain further stated that he was unaware of any known objections by abutters.

Both affected property owners were in attendance. Mr. Max Voshchin of 235 East Street and Ms. Victoria Voshchin of 237 East Street were in attendance along with Mr. Richard Foreman, Verizon Representative. Mr. Foreman explained that the pole relocation was requested by the abutter. Moved to property line to avoid having pole directly in front of the new driveway.

Ms. Smith-Lee agrees that since all parties seem to favor the move, she has no objection.

MOTION: To close the pole location hearing for East Street.
(Heitin-Smith-Lee) 2-0 **PASSES**

MOTION: To approve the pole relocation at East Street near Mann's Hill Road.
(Smith-Lee-Heitin) 2-0 **PASSES**

Public Hearing – Traffic Rules and Orders

A public hearing was advertised stating that such hearing would be held at Sharon Town Hall, 90 South Main Street in Tuesday, October 29, 2019 at 7:10 pm to consider the following items related to the addition to the Traffic Rules and Orders, the following traffic signage: 1. "3-Hour Parking" Mon-Fri 8:00 am to 6:00 pm on both sides of Pine Grove Avenue; 2. "3-Hour Parking" Mon-Fri 8:00 am to 6:00 pm on both sides of Forest Road; and 3. "No left turn" at the corner of Cheryl Drive and North Main Street. All interested parties are invited to attend. Any questions may be directed to Peter O'Cain, Town Engineer, at (781) 784-1325, ext. 2316 or by email at pocain@townofsharon.org.

Sharon DPW brought these proposals forward in response to resident requests for no parking signage. Mr. O'Cain explained that on Forest, signs will be placed only on one side of road as Forest is not a through street. Signs will note no parking both sides.

Mr. Turkington advised that this arose in response to the requests by neighbors. DPW reviewed all other neighborhoods near the train station and these two areas are the only ones without signage. Mr. O'Cain would like to change the hours on the signs to 6 am to 6pm unless opposed for parity with other signs.

The Board opened the floor to anyone with comments regarding Pine Grove Avenue. Ms. Meredith Avery of 36 Pine Grove mentioned there are many residents of the neighborhood in attendance tonight and they all have varying positions on this topic. She mentioned that many neighborhood residents park in the street in front of their home. She feels that the signage doesn't fit with the visual impact with the street. Ms. Avery questioned whether the signs would be placed up tree lane and down Pine Grove? Mr. O'Cain advised that there is already a sign that restricts parking near Depot Street. Technically there is already signage. Another sign on Tree lane helpful.

Mr. Eduardo Nillni of 40 Pine Grove feels that the idea is residents don't want people who don't belong. Unless residents park more than 3 hours it won't be a concern. If majority of residents don't wish to have signs on the street, then they're wishes will be considered. Mr. Turkington reiterated that this was brought about because of resident concerns. Mr. O'Cain also mentioned that the police cannot ticket or remove a vehicle unless there is signage.

Mr. Adam Vethaus of 37 Pine Grove Avenue stated that he feels that the signage isn't necessary. The resident of 27 Pine Grove Avenue has drafted a letter and collected nearly a dozen signatures.

Gary Berman of 42 Pine Grove stated he is not against signs but is against people parking at curve by Tree Lane as it is a very dangerous area.

No other attendees wished to speak regarding Pine Grove Ave when asked. Mr. Heitin then asked for comments regarding Forest Road.

Mr. Shawn Walsh of 26 Station Street stated that he is in favor of the signs and would like to see them on both sides of the street. It's very narrow and large trucks have difficulty maneuvering the street. He provided photos of the area when cars are parked on the street.

Mr. Khalid Mahamood of 22 Forest Rd stated he is in favor of signs on both sides. If only one side, people may park in park area. Mr. O'Cain clarified that signs would be placed only on one side of the road but would indicate no parking both sides.

Ms. Diane Dobie of 11 Forest is in favor for same reasons, the road is narrow and train parking exits all at once at the same time which further complicates traffic.

Mr. Jonathan Reich of 17 Forest Road explained that illegal parking has been the worst so far this year. Cars parked on the sides of the road make it difficult for trash, fire and snow plows to get around on the street. Mr. Reich advised that there is enough area near the park for a car to pull off the road. Will that area be restricted as well? Mr. O'Cain will look at the area and see about adding obstructions like large rocks or boulders to prohibit pulling off the road there.

No other attendees wished to speak regarding Forest Road when asked. Mr. Heitin then asked for comments regarding Cheryl Drive.

Many requests have been received about the Canton Street, North Main Street and Cheryl Drive intersection. There has been additional traffic through the intersection since the closing of the Maskwonicut Street Bridge. Mr. O'Cain retrieved accident data from the past 7 years. By state standards, the record is about average in that there are 4 to 5 accidents per year. However, these accidents are dramatic due to high speeds. Mr. O'Cain feels that perhaps it may be better for DPW to have separate meeting on this area but he would like to allow comments by residents who came out to voice their opinion. It seems like right turn only sign would be preferred by residents due to line of sight issues.

Mr. Heitin likes the suggestion that the signage at Cheryl Drive be addressed separately. He would like to hear comments by those in attendance tonight as well. The Board advised that no position would be taken on Pine Grove Ave and Forest Road until the next meeting so all comments could be reviewed and considered.

Gene Leon of 10 Cheryl drive explained that the main problem is people passing on right on North Main Street. He feels that there must be regulations which restrict left turns. Visibility is also an issue.

Marlene Wise of 15 Pond View Circle had a major accident at the Cheryl Drive, Canton Street intersection on just Saturday. Her car was pushed to the other side of the road. She is in favor of the idea of discussions with DPW. Speeding on right side of the road is a big problem. She would like to see restrictions placed on passing on the right as well.

Mr. Michael Pierce of 1959 Bay Road explained that more truck warning signs would be useful and either move farther south on North Main or add extra signs. Trucks headed north on Rte. 27 come up on the hill and can't slow fast enough.

Mr. O'Cain will coordinate a meeting with residents in the area. The Board advised again that no position would be taken until the next meeting and encouraged residents to contact Board to clarify their position before then.

MOTION: To close the traffic rules and orders hearing.
(Heitin-Smith-Lee) 2-0 **PASSES**

Chair Heitin called a brief recess to allow the room to clear.

Joint meeting with Sharon Housing Authority - Appoint interim member

Interviews were conducted at the last Select Board meeting. Ms. Saunders explained that this was a difficult decision for the board because of the qualifications of all candidates. They appreciate the interest in the vacancy, and although they care greatly for all who expressed interest, unfortunately there is only one available position. The Housing Authority met yesterday and reached a consensus that Zannati Rahman would be the individual chosen with thanks to other candidates.

Ms. Smith-Lee stated that she is happy to hear that the Housing Authority reached a consensus in filling the vacancy. The Select Board was also impressed with all three candidates.

MOTION: To appoint Zannati Rahman as interim member of the Sharon Housing Authority through May, 2020.

Roll call vote: 5-0 **PASSES**

Price: Aye

Saunders: Aye

Little: Aye

Heitin: Aye

Smith-Lee: Aye

Mr. Little stated that having been a Town employee for 40 years he wishes to take a moment to thank the Board for new buildings that have been constructed, the Public Safety Building and the new Town Hall. Mr. Little worked 36 years in deplorable conditions at Fire Station. He had the experience of witnessing the construction of the old town hall which was obsolete from day one. He explained that it's a good feeling to have something nice to work with and it's a credit to the Town.

Public Hearing for Liquor License Amendment - Machapuchre, Inc. dba Coriander Bistro

MOTION: To open the public hearing for amendment of the liquor license for Machapuchre, Inc. dba Coriander Bistro.

(Smith-Lee-Heitin) 2-0 **PASSES**

Attorney Ray Watstein of 3 Chessman Drive explained that he represents Coriander Bistro. Mr. Watstein explained that in June, three of the shareholders sold their interest in the bistro. Attorney Watstein introduced Rajesh Rajbhandari, the proposed new manager. Mr. Rajbhandari is from Nepal and became a United States citizen in 2018. He has been working at the restaurant for about 6 months. Mr. Watstein explained there have been no complaints against Coriander since the restaurant opened. The Board agrees and feels that the paperwork seems to be in order.

MOTION: To close the public hearing for amendment of the liquor license for Machapuchre, Inc. dba Coriander Bistro.

(Heitin-Smith-Lee) 2-0 **PASSES**

MOTION: To approve the liquor license amendment application of Machapuchre, Inc. dba Coriander Bistro.

(Smith-Lee-Heitin) 2-0 **PASSES**

Energy Advisory Committee update on solar leases

Mr. Silas Filer, Mr. George Aronson, Ms. Valerie White, and Mr. Lajos Kamocsay of the Energy Advisory Committee were in attendance to meet with the Board. The Select Board advised that they have received a memo regarding the solar sites and their status as discussed at the Energy Advisory Committee meeting of October 17. There is a strong sense that the revenue is wanted.

Since the EAC last met with the Select Board, they have had several meetings and spoke at a School Committee meeting. They met with residents last night at the open warrant meeting. Most opposition is regarding canopies at East Elementary as well as at the Gavin's Pond site. There is little to no opposition about Heights roof solar project.

It was suggested that the will at Town Meeting is to eliminate a project, the article is able to be modified on the meeting room floor unless the Board preempts it by doing so ahead of time. It was suggested that it may be prudent and "cleaner" to eliminate components of the East Elementary Solar project in advance. If East is removed, signing a lease with the vendor would still be possible. There is also the possibility to add a project.

Even if the articles are approved at Town Meeting, final designs require approval by the Select Board and/or the School Committee. If these projects are deferred, incentives decline on first-come, first-served basis.

Judy Crosby of the School Committee feels that abandoning the entire East Elementary project many not be necessary and asked if it would be possible to take the array in the front of the school out ahead of Town Meeting. It sounds as though the components in the rear and to the side aren't subject to as much opposition

Mr. Turkington clarified that article put forth is to allow the Select Board to enter into agreements for 20 years with two five year extensions. Indeed there is an article which references these three sites. The reason for that is not to have to wait for the Attorney General to approve a general bylaw which is Article 3. The design process will take all concerns raised by neighbors into account. He expressed that there must be some level of expectation that the Select Board together with the School Committee will work collaboratively to address the concerns of the residents.

Maureen Silverlieb of 29 Juniper Road, a parent with a child who attends East Elementary, suggested that parents feel the rear canopy would be acceptable if vetted properly.

Several residents from the Sharon Woods area expressed their disappointment, frustration, and anger that the issue has not been adequately communicated to the abutters nor have they been given adequate time to digest the impact of solar panel installation at these sites. It is felt that deferring these projects would go toward repairing the mistrust felt by residents.

Mr. Heitin explained that these articles allow the Board to start the process. Drawings and design are hypothetical at this time. Unless authority is given, the process cannot begin. This Board has tried to identify sources of revenue which repeatedly fail at Town Meeting. Sharon Gallery is finally off the ground. The value of this project equates to about 1/6 of the high school project. There are no other places to get money. There is the Gallery and a small amount of redevelopment on Route 1. Board and School committee can stop the solar development process it at any time.

Dr. Korn was asked by many of the residents of Sharon Woods to present materials which was presented to the Board. It was asked if the article is voted up, whether it means that the Board can lease the land for 30 years? It was explained that it means that the Board has the authority to lease for 20 years with two five year extensions.

Mr. Aronson clarified that there is a clause in the contract that give the Select Board or School Committee the authority to terminate the lease if design criteria are not met. Mr. Heitin suggested that the formation of a design committee made up in part by abutters would be established.

Last year's Town Meeting granted authority to look at parcels greater than 2 acres in size for solar generation. The Energy Advisory Committee reviewed all sites in Town for adequate conditions for solar generation including the possibility for solar at the train station, the new high school, and the middle school roof down the road.

The remainder of the conversation included topics of zoning, available land for solar sites, economics, and whether a legal opinion was obtained from Town Counsel.

Mr. Aronson explained that a lease has not yet been signed. Article authorizes the Select Board to sign but when the projects are vetted. If design is not approved, the Town can walk away with no liability. On signing, vendor pays a nonrefundable down payment. If the vendor cannot provide a design that satisfies the Town, the Select Board can terminate at the sole discretion of Town.

MOTION: To amend the proposed article to specify the rear of East Elementary with wording to be determined regarding design groups which include local stakeholders for each project.

(Smith-Lee-Heitin) 2-0 **PASSES**

Consideration of changes to liquor license regulations and fees

Board received a complete package on regulations. The Town currently allows beer and wine package stores and restaurants which serve alcohol. Peer towns have been surveyed. November 12 proposed fee schedule and process once legislature approved. Legal opinion allows to set a process to determine among competing applicants for a particular area. There is the ability to hold one back to preserve one for a future option or the owner of say, the Sharon Gallery could also apply for a license then transfer to a tenant subject to Local Licensing Authority approval. Licenses can be allocated selectively based on the opinion received from Town Counsel. The materials in this agenda package should be reviewed for the public hearing at the November 12 meeting but will be included in the agenda package for the November 12 meeting as well.

Hana Switekowski of 10 Barefoot Hill Road asked for clarification regarding licensing and zones. It was explained that there are 4 licenses for 5 zones in Town. The Board can allocate to one zone if in best interest of the Town which is not the feeling of the Board or spread out over the different zones. It was also clarified that this is for retail sale of alcohol for off-premises consumption, a liquor store. There are several licenses remaining for restaurants.

Discussion of SYBSA's proposed field conversion at Deborah Sampson Park and Polar Plunge

Information was provided regarding a proposal by Sharon Youth Baseball and Softball Association to convert Field A at Deborah Sampson Park. Details and a printed copy of a slide show presentation were provided to the Board. This field would be convertible to accommodate two levels of play at the field.

The Recreation Advisory Board also recommends approval of the Polar Plunge at Lake Massapoag on February 29, 2019.

MOTION: To approve the proposed field conversion and Polar Plunge at Lake Massapoag on February 29, 2020.

Proposed objectives and priorities for November 1, 2019-October 31, 2020

This sets the priorities of Select Board. This has been discussed for a few meetings. This is the opportunity to make any final changes to the draft copy of revised goals and objectives. Mr. Turkington removed expired topics or items and has updated the draft to include new goals.

MOTION: To approve the proposed objectives and priorities for November 1, 2019 through October 31, 2019.

(Smith-Lee-Heitin)

2-0

PASSES

Consider agreements and any other matters related to the proposed acquisition of Rattlesnake Hill

The legal documents continue to be finalized. Final comments were received today from the owner which will be reviewed over the next day or two.

Review and approve consent calendar

- I. Vote to approve minutes of October 15, 2019
- II. Vote to approve banner requests for
 - a. Cottage Street PTO Fun Fair, March 23-30, 2020 in 1st position;
 - b. One Book, One Town: Sharon reads together, March 30-April 6, 2020 and April 13-20, 2020 in 1st position (waive fee?)
 - c. Sustainable Sharon Coalition Sharon Green Day, April 20-27, 202 in 1st position
 - d. Friends of Sharon Public Library Annual Book Sale, May 11-18, 2020 in 2nd position and consider a fee waiver
- III. Vote to approve a special One-Day Alcoholic Beverages License Application for:
 - a. Marine Corps Leagues Detachment #1115 on November 10, 20109 and waive the ballroom rental fee
 - b. A Perfect Taste (private event), October 26, 2019
- IV. Vote to appoint David Young to Zoning Board of Appeals as Alternate member for a term expiring on December 31, 2021.
- V. Vote to elevate Betty Gladstone from Alternate to Member of the Council on Aging Board for a term expiring December 31, 2020
- VI. Vote to appoint Anne Kandel as Alternate Member of the Council on Aging Board with a term expiring December 31, 2022
- VII. Vote to approve notice of intent to convert use per M.G.L. Ch.61B §9, "Lot 4C," a portion of 25 Tiot Street, from recreational to residential use

MOTION: To approve the consent calendar.

(Smith-Lee-Heitin)

2-0

PASSES

Report of the Town Administrator

The Town Administrator provided the following updated.

There was a pre Town Meeting logistics meeting last night. There was a working trial of the new technology in the new meeting room as Mr. Nebenzahl used Skype to participate remotely. David Fixler and Colleen Tuck with be alternate moderators. The motion related to the High School is expected to be moved up to be taken earlier. There has been a proposal for the High School to be a net zero project.

Staff is presently working on the capital budget and generating a five-year plan. The Capital Outlay Committee will have their first meeting for this cycle on Thursday evening, November 7th at 7 pm to begin the review of requests from departments.

Also beginning the operating budget process and working on revenue estimates. It was agreed to have the Finance Committee focus on warrant articles early then budget.

Ms. Barnes provided an update on the new Town Hall construction project. Construction meeting are still held every week. The contractor is prepping for binder coat on the remainder of the parking lot which should take place Thursday, weather permitting. Sidewalk work will then on Chestnut Street. Installation of flagpole should begin this week. Finally, the installation of top coat and striping should happen just before Veterans Day.

The issue of the fountain proposed by Mr. McGrath was raised at today's construction meeting. The consensus is that more appropriate placement may perhaps be at the new library. Standing building will review as a whole. Mr. McGrath is still negotiating the purchase of the fountain.

Veteran's Day program will take place on November 11, 2019. A member of the Select Board will be available to speak at the presentation.

There has been a request from Town Counsel regarding an access indemnification agreement regarding the Brickstone site.

MOTION: To approve and sign the access indemnification agreement at the request of Town Counsel for the Brickstone, LLC site regarding Rattlesnake Hill.
(Smith-Lee-Heitin) 2-0 **PASSES**

MOTION: To adjourn at 8:58 pm.
(Heitin-Smith-Lee) 2-0 **PASSES**

Adjournment

MOTION: To adjourn at 8:17 pm
(Heitin-Smith-Lee) 2-0 **PASSES**

List of Documents

- Memoranda (2)
- Petition and orders (2)
- Public hearing notice
- Location maps
- Candidate resumes
- Membership lists
- Notice of vacancy
- Machapuchre, Inc. Application materials
- Memorandum from EAC
- Correspondence
- Rate survey
- Sharon current fees and regulations
- Sample regulations
- Email correspondence
- Hearing notice
- Memorandum
- Conversion proposal
- Draft objectives and priorities

- Minutes
- Banner requests
- Application materials
- Membership list
- Application
- Notice of Intent
- Plan of land
- Contract