

Approved 8/31/2020

Town of Chelmsford Board of Selectmen Minutes
Chelmsford, MA 01824

TOWN OF CHELMSFORD

PATRICIA E. DZURIS

Virtual meeting via Zoom

TOWN CLERK

Regular Meeting MINUTES
June 15, 2020

Attending:

Kenneth Lefebvre, Chairman
Virginia Crocker Timmins, Vice Chairman
George Dixon, Clerk
Emily Antul, Selectman
Patricia Wojtas, Selectman

Paul Cohen, Town Manager
Michael McCall, Asst. Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager’s Office, 50 Billerica Rd., Chelmsford, Mass. The meeting was recorded by Chelmsford Telemedia. Chairman Lefebvre called the meeting to order at 7:04 PM, and read the following announcement:

Pursuant to Governor Baker ’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor ’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Town of Chelmsford Board of Selectmen will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town’s website, at www.chelmsfordma.gov. For this meeting, members of the public who wish to watch the meeting may do so by accessing the Chelmsford Telemedia website www.chelmsfordtv.org.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town’s website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

7:04 PM CALL TO ORDER

PUBLIC SERVICE ANNOUNCEMENTS

Deadline for Submission of Citizen Petition Warrant Articles for October 19, 2020 Fall Annual Town Meeting: Monday, August 3rd by 4:00 PM

The Public Notice & supporting information was read by Selectman Timmins.

OPEN SESSION

No one came forward at this time.

COMMITTEE VACANCIES

Selectman Timmins read the list of current vacancies. Interested applicants can apply online at <http://www.chelmsfordma.gov> or through the Town Manager’s office.

REPORTS AND PRESENTATIONS

Business Development Director Lisa Marrone: Update on Economic Development Grant and New Investment in 129 Corridor

Ms. Marrone announced a new tenant, Thermo-Fisher, a life science company, is moving into 220 Mill Rd. and may purchase the building.

A restaurant will be utilizing the space at 330 Billerica Rd. Construction is underway, and the lessees will receive a site readiness grant of \$100,000.00 toward their work. More information will be forthcoming.

A bus shelter will be installed near the intersection of Omni Way and Billerica Rd., and the DPW has begun preparing the site. The LRTA will do the installation of the actual shelter. The work should be completed in a couple of weeks.

The Board was reminded that DCF occupies space on Omni Way, so this bus shelter will be beneficial to their clients.

More announcements will be made.

Chairman Lefebvre reported that Santana's Barber Shop opened on June 8, 2020 where Jim's Barber Shop was located in Chelmsford Center.

Chairman Lefebvre thanked all Town departments that were involved with helping restaurants re-open after the Quarantine. Feedback from restaurants has been very positive. Ms. Marrone agreed this was a team effort, especially by Kristina Bruce.

Community Development Director Evan Belansky: RFP for Interchange Study

This process has been ongoing since last year. Mr. Belansky requested comments on the Draft RFP from the Master Planning Committee, the Economic Development Commission, the Planning Board and the Route 40 Study Committee.

The study areas will include Rt. 3 Exit 31-Chelmsford St., Exit 32-Drum Hill corridor, and Exit 33-Groton Rd.

A physical assessment of the areas will be completed. Next would be a market study assessment of each area.

The goal is to provide baseline information to assist the Town in future decision making up to 15-25 years in the future. An advisory committee will be formed to include various town officials and resident/business stakeholders.

The Request for Proposals document outlines the tasks for the consultant to participate in. A report and presentation will be done at the completion of the study. A State grant will cover \$50,000.00.. The terms of the grant require that the town provide another \$12,000 in matching funds.

Selectman Timmins received a question about why single family homes were included for the Groton Rd. study, but not for the Chelmsford St. study. Mr. Belansky explained there are differences in zoning for the areas being studied, and the zoning on Chelmsford St. is already very well defined. Groton Rd. has adjacent residential and industrial uses on the north side of the road.

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Previous plans that will be used as reference material for the consultant include the 2010 & 2020 Master Plans, the Rt. 40 study report, and the Drum Hill Master Plan, among others.

The intent is to establish an Advisory Committee that will include a balance between residents, industrial/commercial owners, and representatives from previous study committees. . The study is not intended to deliberate future zoning or development. The Town will decide what to do with the market data analysis at a future time.

Mr. Belansky wished to issue the RFP as drafted, wait 30 days for response, and later, request the Board's vote to proceed with a consultant.

Motion: by Selectman Dixon to accept the RFP for an Interchange Study as presented. Seconded by Selectman Timmins.

Roll Call Vote:

Selectman Wojtas: Aye

Selectman Antul: Aye

Selectman Timmins: Aye

Selectman Dixon: Aye

Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

NORTH CHELMSFORD TRUCK TRAFFIC ISSUES / OLSEN LETTER

Susan Olsen was present, and requested feedback on the points in her letter, which included 10 items, and 18 topics all together.

Mr. McCall explained that truck exclusions are prohibited on numbered routes by State law. The Town cannot prohibit jake-braking. Pollution, odor, and noise are monitored by DEP under permit number MBR09IND005, and this permit is in full force. The DEP is looking at these concerns, as some are beyond the Town's control.

Cameras are in place in the area of 540 Groton Rd, and around the facility located there. There is a camera on Ledge Rd. by the pump station. The Town of Westford monitors compliance of the permits in their town, and some reports are available on their website. There are about 84 trucks per day on average between the solar farm and asphalt recycling plant. Chelmsford staff looked at aerial photos regarding wetlands work which was investigated by the Conservation Commission, and ended up not being a violation.

Mrs. Olsen asked if Newport Materials was circumventing the agreement by using Ledge Rd. as an egress. Mr. McCall explained their permit provides a 200 vehicle limit, with no limit on internal traffic. No asphalt will be travelling on Ledge Rd., and there are no expansions of this permit foreseen.

Mr. McCall spoke with several stakeholders, and an alternate additional access road would be the preferred solution, however, portions of the land for a potential road are owned by the state, and private property owners. Other solutions will only provide temporary relief. There is a cap on the number of trucks leaving the back entrance of the Newport Materials facility.

Mrs. Olsen agreed there is no way to stop all the traffic, but the noise is awful, which impacts her grandson with autism; the noise is painful. She wants all the residents to be kept informed. Chairman Lefebvre advised that communication has been problematic, as many people do not read the announcements.

Mr. McCall advised that he contacted DOT regarding the Markey's complaint. The DOT suggested a truck limit on lower Dunstable Rd. Traffic counts will be done in the fall. Previous NMCOG counts were very low for truck traffic.

Selectman Timmins stated that there may be some cooperation from the Town of Tyngsboro because the highway exit in their town was built as a commercial exit. She felt there should be parallel paths pursued that could mature on different timelines rather than being dependent on one approach materializing.

Mrs. Olsen asserted that Westford allowed the traffic to exit into Chelmsford. The traffic has taken over the entire area of town. It's crushing this area of town. She asked that the owner of the quarry be asked to provide input on solutions, as the company is buying more and more of the quarry. Many things would need to come together to make a new access road viable.

More discussions with many parties will still need to happen. The Board will endeavor to be as transparent as possible. There will be more cooperation needed from the state.

The Board of Health has noted that several studies' results are being made available. DEP is monitoring, and the Water District has noted no significant concerns from runoff, based on their regular testing. Town officials have been speaking with several representatives from Westford; any problems will be relayed to the Board.

When the asphalt plant is fully operational, trucks will run primarily at night, as there is less traffic in work areas. Volume will depend on where the work is. Mr. McCall expects most of the asphalt trucks to head directly for the highway.

Sidewalks were suggested as a traffic calming measure. Portions in Chelmsford would cost over \$500,000.00 to construct, not including the parts that are in Tyngsboro.

Easements are pending for a possible school bus turn around on Ledge Road. Widening for a left turn has been tabled at this time.

There is no viable alternate route in Chelmsford for a truck exclusion on Swain Rd. Any route would require agreements from the towns of Westford and Tyngsboro. Engineering cost estimates were over \$100,000.00. National Grid will not move their pole without a definite project. Alternatives are still being reviewed and discussed.

Item number 8, regarding a truck traffic exclusion sign, the sign in question has been removed by the Town of Tyngsboro.

Item number 9 is being discussed in an ongoing executive session.

Item number 10 is still in preliminary investigation stage. The Town is constantly looking to see what can benefit the greatest amount of residents on these roads.

Mrs. Olsen requested that residents be kept informed. She is concerned about the RFP for the Interchange study discussed earlier this evening, and how it will impact their neighborhoods.

Some of these topics could take up to 2 years or more to resolve.

Another resident had asked Selectman Antul what would happen if Ledge Rd. was closed completely. Mr. Cohen expected that the quarries would file a law suit and injunction if the Town were to shut down Ledge Rd. This is not a practical solution.

Chairman Lefebvre advised he noticed a partial road in an aerial photo that runs along Rt. 3. He and Selectman Dixon went on a tour of the Newport Materials aggregate plant and its vicinity, and one of the dirt roads which came out by JP Rivard's property. There was a meeting earlier this year with town employees, state Representative Tom Golden and some of the industry owners about the feasibility of building and paying for the road. Business owners were interested. They want to be a good neighbor. The problem was the need to cross over a small portion of the state's former rest area now managed by DOT, and cross two private properties already purchased by a developer, to egress onto Rt. 3. State permission is required for easement through the DOT land. The private property owner communicated through her engineering firm that she would only entertain easement through her land or sale of her land if commercial rezoning between Route 3 and Ward way could be approved to have her justify giving the land to this project. A photo of the area in question was shown. Chairman Lefebvre hopes to get more information in time for Fall Town Meeting. Residents on Rt. 40 would still be impacted by this new road.

Selectman Timmins asked the Board to hold a public input session at one of the future meetings to educate the public and get their input. The Board decided to schedule the public input session on July 13 as part of the regular agenda. Mr. McCall was requested to keep all the e-mails in a central place. Based on recent emails suggesting looking into the feasibility of rerouting trucks serving the quarry companies from Ledge Road to the Newport Materials driveway in Westford without having the proposed access road, Selectman Timmins warned against shifting the problem from one area of town to another. The project may need a project manager, and will need solid plans in place.

Selectman Lefebvre stated that industrial land owners have provided some rough estimates and plans on building the road. Representative Golden has added to installation of a and a traffic light at the intersection of the proposed access road and Route 40 near the Route 3 on-ramp into a state bond bill. It is likely a Mass Works Grant will be required. Many people will need to help develop a solution.

Assistant DPW Director Steve Jahnle has been working on developing traffic calming measures for Main St. and Brentwood Rd. Main St. has had 3 deaths from car accidents over the last 10 years.

DIVERSITY / CHANGE ITEMS FOR RACIAL HARMONY

A letter was received by the Board regarding actions that could be taken by the Town that could help create racial harmony.

Selectman Wojtas noted that the MMA was partnering with the National League of Cities to create a plan for resources and training for these issues which may be more effective and consistent. Selectman Antul compiled a list of links for reading lists and potential curriculum changes. The School Committee has been discussing changes to curriculum as well. Selectman Antul stated she would like to see a high school delegation brought into more government conversations. She believes today's students are well educated and are taking a lead. Chairman Lefebvre suggested inviting students to Board meetings, similar to what the School Committee does. Selectman Wojtas recalled that board and committee chairs used to come in and discuss concerns and ideas in a non-televised session. This hasn't been done in several years. Selectman Timmins felt the Board and administration may need a better understanding of what the problem is. The Board agreed that a listening session may help determine how to proceed and begin to determine what resources are needed.

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Because of COVID 19 restrictions, this session will be a virtual meeting. Email submissions can be welcomed.

The Board agreed to host the Listening Session to discuss how to work toward racial harmony for June 30, 2020.

TOWN MANAGER REPORTS

NMCOG EDA Cares Study

NMCOG is seeking a \$150,000.00 grant to develop an economic recovery plan from the COVID-19 pandemic for the Greater Lowell area. Topics will include discussions around capacity building, disaster recovery projects, and to foster private/public partnership opportunities.

Update on Outdoor Seating

All Town departments were recognized for their assistance in helping make these approvals happen. The State has offered some funding for projects. Kristina Bruce and the DPW are reviewing eligibility to pursue additional funding.

Project Update on 255 Princeton Street

Permits are pending to complete the necessary demolition, the preparation area has been secured, and inspections are pending. Work with debris removal will commence after all approvals are received.

Town Meeting notes

A notice went out last week to Town Meeting representatives, and a Pre-Town Meeting program was taped last week. A link to view the program was sent out by the Town Clerk to the Town Meeting representatives. The Finance Committee warrant book is available for viewing online. Print copies are available at the Town Manager's office. Presentations will be printed and ready for Town Meeting. Voting and seating systems are being set up. It may be warm in the high school gym that evening. Face masks and social distancing parameters will be required.

TOWN MANAGER APPOINTMENTS

Community Action Program Committee: Jim Callahan, 1-year term ending 6/30/2021

Motion: by Selectman Timmins to accept the Town Manager's appointment of Jim Callahan To the Community Action Program Committee for a One Year term ending June 30, 2021. Seconded by Selectman Dixon.

Roll Call Vote:

Selectman Wojtas: Aye

Selectman Antul: Aye

Selectman Timmins: Aye

Selectman Dixon: Aye

Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

BOARD OF SELECTMEN COMMITTEE LIAISON ASSIGNMENTS

A list of assignments was provided to the board. Most are the same assignments as last year, except for the legislative assignments where Selectman Timmins was assigned to be a liaison to Representative Golden, and Chairman Lefebvre was assigned to Representative Nangle.

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SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Wojtas:

-Former Recycling Committee and Conservation Commission member Marc Grant passed away a week ago. He will be missed.

Selectman Antul:

-A request was made to create signs for masks and social distancing in Spanish and Khmer. Mr. Cohen advised the Health Department Director Sue Rosa is trying to get a quote for replacement signs.

-The Supreme Court held up a human rights decision today. The Board was asked to please allow the Chelmsford Center for the Arts to fly the pride flag. The Board advised that churches and residents can fly them, but they will not be allowed on government or municipal buildings.

-Eagle Scout candidate James Barrett is developing a plan to build four raised garden beds and benches for the MacKay Library Community Garden. The neighborhood has been very supportive. Chairman Lefebvre agreed these projects are a huge benefit to the Town.

Selectman Dixon:

No Reports this evening.

Selectman Timmins:

-Residents were reminded about the June 23, 2020 meeting of the Conservation Commission, where they will be discussing open space properties that are being put before the town for Right of First refusal purchase under Chapter 61A regulations.

-A list of agenda items for the Planning Board meeting on June 24, 2020 was provided.

-The Tennis/pickleball court installation will begin this week, parking issues will be looked at after that.

Chairman Lefebvre:

No reports this evening.

PRESS QUESTIONS

No one came forward at this time.

EXECUTIVE SESSION

Consider the Value of Real Property 20 & 22 Wotton Street

Motion: by Selectman Timmins to adjourn to Executive Session at 9:37 PM, not to return to Open Session, to discuss and consider the Value of Real Property at 20 and 22 Wotton St.

Seconded by Selectman Dixon.

Roll Call Vote:

Selectman Wojtas: Aye

Selectman Antul: Aye

Selectman Timmins: Aye

Selectman Dixon: Aye

Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

NEXT REGULAR MEETING DATE: June 29, 2020

Respectfully Submitted,
Vivian W. Merrill,

Approved 8/31/2020

Recording Secretary

Supporting Documents:

- Legal Notice for Submission of Citizen Petition Articles for Fall Town Meeting
- List of Committee Vacancies
- Business Development Presentation
- Highway Interchange Presentation
- Letter Regarding Truck Traffic
- Letter Regarding Goals for Racial Harmony
- Letter Regarding NMCOG's EDA CARES Act Funding
- List of Approved Outdoor Seating Applications as of June 11, 2020
- Memo Regarding status of activity at 255 Princeton St.
- Committee Application
- Board of Selectmen Liaison Assignments