

CHELMSFORD FINANCE COMMITTEE  
MINUTES

September 19, 2019



**MEETING:** A meeting was held on Thursday, September 19, 2019 at 7:30 PM at Town Hall Office Building, 50 Billerica Road, Chelmsford

**PRESENT:** J. Clancy, D. Goselin, A. Langford, E. Chambers and V. Parks

**ABSENT:** K. Duffett and A. Tanini

**ALSO PRESENT:** P. Cohen, D. Pigeon, J. Savoie, D. Ayer, L. MacDonald, S. Poulton, J. Lang, J. Johnson-Collins, D. Newcomb, V. Crocker-Timmons, N. Araway, G. Kohl, M. Raisbeck, M. Walsh, D. Van Dyne, M. Burnham, G. Hall, K. Bennett, and public

**HANDOUTS:** Nashoba Valley Technical School FY2019 Year End Presentation, Chelmsford Public Schools Memorandum from J. Johnson-Collins regarding FY2019 Final End of Year Budget Report, Route 40 Study Committee Report Summary from June 26, 2019, Fall Town Meeting 2019 – Article 27 Information

The meeting was called to order at 7:31 PM.

**Approval of Minutes:**

**September 12, 2019:**

J. Clancy asked the Finance Committee members if they had reviewed the minutes of September 12<sup>th</sup>. Several members had not yet had a chance to review the minutes, so the approval of the minutes was moved to the next meeting.

**Nashoba Valley Technical School District FY2019 Close and Current Conditions:**

J. Clancy reported that D. Pigeon, J. Savoie and members of the Nashoba School Committee were present at the meeting to review their year-end close and current conditions. He thanked them for coming in. D. Pigeon thanked the Finance Committee for inviting them in as it was the first time for them meeting with the Finance Committee after the close of the year. She stated that they had a wonderful school opening and it was going to be an exciting year at Nashoba as they were celebrating their 50-year anniversary. She added that they would do a number of things through the year to celebrate their 50 years. She pointed out that a student had created the 50-year logo for them.

D. Pigeon reported that Nashoba ended FY2019 within approximately 2% of their budget. She said that they were in a three-year contract with Powers & Sullivan to do their audit and they spent time with the auditors in August. She said that once completed the audit would go to the School Committee and then would be released. She added that they were on target to do this by the end of September. She noted that they were also doing an actuarial study this year so there may end up being some changes made to the benefits line item.

D. Pigeon pointed out that Nashoba met the net school spending requirement, but only by a small margin of about 2%. She reminded the committee that they had had issues in the past with not meeting net school spending.

D. Pigeon reported that Nashoba ended FY2019 with a balance of \$1,571,280 in their stabilization fund. She pointed out that they didn't put any money into the account during the year; adding that the increase of \$121,280 was from interest earned. She stated that they were at a good place at the target of being within 8-10% of the overall budget.

D. Pigeon reported that the OPEB balance ended the year at \$782,826. She stated that they would be having more talks regarding funding of OPEB during their budgeting process. She added that they planned to come up with a set amount which they would put into OPEB annually going forward.

D. Pigeon reported that their summer projects had gone very well this year. She said that they used LeftField for project management and they did an excellent job. She said that they provided daily reports with tracking of projects. She added that the day that school closed for the summer they had materials delivered and then at the end of the summer all was cleared out and they even swept the parking lot. She reported that the roof replacement had been done in three sections, with one section being done at a time. She said that there was also a deck project and some HVAC work done. She pointed out that projects were completed within budget and on-time. She said that for financing they had gone with one-year BANS so that they could control the payments. She added that in 2025 a larger debt would be paid off and they could then put more money towards paying this debt.

D. Pigeon reported that a facilities assessment had been done between 2018 and 2019 which resulted in a list of recommendations which would drive their capital planning going forward. She explained that they had ranked projects as being low, medium or high priority and were focusing on the high priority items which were color-coded red in the recommendations listing. She reported that Nashoba had applied for a competitive state grant for the high priority item of an upgrade in security at their main entrance and they had received a grant of \$80,000. A. Langford asked what the plan was to upgrade the security. D. Pigeon replied that for safety reasons they only talked about security changes in executive session. D. Pigeon pointed out that they may be able to replace the fire protection system which was another high priority item in session or next summer. She said that they planned to address the high priority items within 1 to 3 years and the medium priority items within the next 3 to 8 years.

D. Pigeon reported that Nashoba had a great year last year and a good start to the new year. J. Clancy thanked the Nashoba visitors for coming in and said that the Finance Committee would

like to continue the practice of a year-close meeting every year and keep the dialog going. He asked D. Pigeon if she had any enrollment numbers or knew how things were tracking. D. Pigeon replied that overall Nashoba was up about 10-11 students and Chelmsford was trending up with 14 additional students. She noted that these numbers were still fluctuating. She said that she would not have solid numbers until October 1<sup>st</sup>.

**Chelmsford Public Schools FY2019 Close and Current Conditions:**

J. Clancy welcomed J. Lang, J. Johnson-Collins and members of the Chelmsford School Committee to the meeting. J. Lang thanked the Finance Committee and reported that he had sent J. Clancy the final year-end report earlier in the day. He asked if J. Clancy could forward the report to the other Finance Committee members. J. Lang reported that the FY2019 school closing had been a good closing and was completed a little early this year. He stated that the report which he had provided to members from August 2<sup>nd</sup> was not the final report, but not much had been changed.

J. Lang reported that the FY2019 budget had been \$59 million and the FY2019 encumbrances were \$241,765. He pointed out that two journal entries approved at the July 23<sup>rd</sup> meeting were \$21,077 in food service from lunch fees that had not been paid by children. He explained that they try to recoup these fees from the parents. He said that the other \$2.2 million entry was from the SPED OOD tuition account to the circuit breaker revolving fund. He noted that much of the encumbered \$241,765 was no longer outstanding. J. Johnson-Collins reported that \$210,000 of this amount was now paid.

J. Lang stated that J. Johnson-Collins had provided a year-to-date budget report from MUNIS. He said that he would not go through the report line-by-line, but if any Finance Committee member had any questions, they should send an email. He reported that all funds ended the year in black. He stated that the “big ones” had healthy balances such as the circuit breaker account which had a balance of \$1.9 million which was really a \$2.1 million carry over with the last of four payments which came in after July 1<sup>st</sup>. He pointed out that they were being more aggressive with the school lunch program in purchasing supplies and replacing equipment when it was outdated. He said that the school nutrition program had an ending balance of \$694,123. He reported that the daycare program ended with a balance of \$1.8 million. He noted that there were a couple of projects such as the playground and air conditioner at Westland’s which they could charge to this account. He pointed out that the playground was well-used, and they had been able to hold “Summerfest” on site due to the addition of the air conditioner. J. Lang reported that school choice ended with a balance of \$1.6 million. He added that they were charging the one-to-one computer initiative to this line item. He stated that it was going well with grades 5 and 9 getting chrome books under the four-year roll-out plan. He explained that they could use the computers during the day and take them home at night for homework. He added that they would turn them in at the end of the four years. He stated that staff had taken advantage of professional development over the summer to learn how to use the devices. J. Clancy asked if the carts were still being used where the program had not been rolled out. J. Lang replied that grades 6, 7 and 8 had carts, but they were almost at the point of having enough for one cart per classroom. He noted that some rooms now had to share. He stated that thus far parents were excited about this program.

J. Clancy asked how enrollment was tracking. J. Lang replied that things were still in flux, but he would have the raw student enrollment numbers on October 1<sup>st</sup>. He said that the numbers seemed to be consistent with last year and overall, they were in really good shape. He added that he would look at what would be happening with the middle grade heading into the high school.

J. Lang reported that FY2019 had ended well and he would send the audit out to the Finance Committee members when available. He added that FY2020 was off to a good start and they had done their first payroll on Friday. He commented that he did not have any current concerns regarding the local budget or grants. He noted that Chelmsford actually received a little extra funding due to an increase in the poverty count and in ELL students. He reported that when he started Chelmsford had 125 ELL students and now there were a little over 200 ELL students. He said that this speaks to the changing demographics in Chelmsford.

J. Lang commented that he appreciated the support of the Finance Committee for the new staff position. He reported that there was now a new SRO at McCarthy and a dedicated officer at Parker as well as the high school. He said that this addition had been an important step for the safety in the schools.

D. Newcomb stated that she wanted to let the Finance Committee know that she was the School Committee's liaison to the Finance Committee for the coming year.

**Zoning Warrant Articles – Review and Discussion:**

J. Clancy welcomed E. Belansky and members of the Planning Board. The zoning warrant articles were discussed as follows:

**Article 22 - Zoning Bylaw Amendment – Route 40/Groton Road:**

M. Walsh introduced himself as a member of the Planning Board, Town Meeting Precinct 3 Representative and a member of the Route 40 Study Committee. He stated that he was at the meeting as a member of the Route 40 Study Committee and was filling in for the chair, Pam Armstrong. He reported that the study committee which consisted of a Board of Selectmen member, two Planning Board members and four residents met for 16 meetings over a period of nine months. M. Walsh explained that the study committee was precipitated by one developer buying up property. He stated that the committee mission statement was to:

“Review current zoning, consider the impact of the area, the neighborhoods, the local business and the Town of Chelmsford. Recommend the best use of the land for development considering changes in the future.”

M. Walsh explained that the committee came up with seven alternate zoning options and made their final recommendation which would leave the South Side of Route 40 zoned RC, Zone the North side IA and create a continuing care community overlay district for the North Side for an “age-in-place” community. He explained that being near the Senior Center and with the addition of amenities to support the concept this would be a nice area for seniors. He noted that there was

a section of state-owned land which they would want to remain IA in continuity in case the state sells the land. J. Clancy asked if there were any concerns regarding the asphalt plant. M. Walsh said that they did not look at the asphalt plant as a “done deal”. He added that he has asked the Town for air tests to be done in the area, but there hadn’t been any testing done yet. J. Clancy replied that there was nothing to test in the air right now. M. Walsh replied that this would give them a baseline to compare to in a couple of years. A. Langford asked if the IA is moved down what would happen to the residents who were currently in that area. E. Belansky replied that their property would stay residential until they sold. E. Chambers asked how many property owners currently on the north side would be impacted by this change. M. Walsh said that he believed that there were 10 residential property owners along the north side. E. Chambers asked if these residents had provided any feedback on the plan. M. Walsh replied that the feedback was split with some residents having lived there for some time wanting to continue to live there; while another group wanted to sell to a developer and leave.

Article 23 - Zoning Bylaw Amendment – Continuing Care Community Overlay District:

J. Clancy asked why this option had been chosen. M. Walsh replied that D. Hedison had attended a meeting and indicated that there was a great need for senior housing with over 300 seniors on a waiting list. He explained that senior housing was needed and if a developer wanted to build an “age in place” facility they wanted to encourage it in this area.

N. Araway stated that another option was if the CEIOD change passed it would allow multifamily in the north side. She said that if it did not pass the CCCOD would have multifamily via permit as an option. She said that CCCOD added more options and supports senior housing, the community and industrial utilization. She said that it would allow things like auto sales, strip malls and personal care establishments such as salons and laundry. M. Walsh pointed out that restaurants could only be 3000 square feet and drive-thrus would not be permitted. J. Clancy noted that the article would create options, but it did not mean that these things were going to occur. He asked if there was an existing interest in a senior facility or it was more of a “wish”. N. Araway replied that it was more “wishful thinking” at this point as nobody had come forward. M. Walsh commented that the Planning Board did not zone based on the interest from one developer. He stated that buildings could go up to 5 stories if they were set 200 feet back in the IA area. He added that the Planning Board had voted 6 to 1 in favor of this article.

Article 24 - Zoning Bylaw Amendment – Amend Commercial Enhancement and Investment Overlay District to Allow Multi-Family in Industrial Areas:

E. Belansky stated that Article 24 was part of the town-wide redevelopment plan. He said that it would amend the CEIOD to allow multi-family homes in industrial areas. He indicated that this included areas along the following roads: Brick Kiln Road, Technology Drive, Princeton Street, Middlesex Street, Wotton Street, and Groton Road. He noted that Route 129 already permits multifamily. J. Clancy asked if there had been any discussion of concerns from businesses in

these districts. E. Belansky replied that there hadn't been any such discussions with the Planning Board. M. Raisbeck commented that existing businesses come up in the general sense, but it comes down to whether the market drives what we do or if we drive the market. E. Belansky added that this was not being "developer-driven" and it would allow flexibility in industrial areas. He noted that Chelmsford was a good investment for multifamily and it added new investment growth. J. Clancy noted that the crossroads area had some multi-family and asked if that was done via a zoning appeal. N. Araway said that they were either accepted via a zoning appeal or they were 40B projects. She noted that this change was not really a change of use, but rather it just eased the process. J. Clancy commented on the high vacancy rate in the commercial industrial areas with "soft spots" in all the areas. E. Belansky added that Princeton and Middlesex would be good for adding residential property, but other areas were similar to Route 129 and it was unlikely that existing industrial and commercial buildings would be converted to multifamily. D. Goselin asked what could be done at Technology Drive. E. Belansky replied that there was one vacant parcel of property which would be allowed to be used for multifamily with special permit. D. Goselin commented that multifamily tended to create more problems such as traffic and safety concerns. He noted that Drum Hill was already quite crowded. E. Belansky replied that this wasn't necessarily the case. He noted that in general multifamily created different peak traffic patterns which complimented commercial/industrial. E. Belansky said that even if Town Meeting adopts this change there were not a lot of "low hanging fruit" to go after. He added that it would just allow the conversation to happen and the Planning Board could always still say "no".

Article 25 - Zoning Bylaw Amendment – Preexisting, Nonconforming Single- & Two-Family Residential Lots:

E. Belansky stated that many applications for special permits for additions and modifications come before then Zoning Board with associated costs and delays and the result is that 99% of the projects are approved by the Zoning Board. He stated that Article 25 would have the zoning based on the year the property was built which would allow for more compatibility with existing structures and would decrease the work load brought before the Zoning Board. He explained that these changes did not warrant coming before the Zoning Board. E. Belansky said that there were 20 to 50 years of rules starting in 1938 through present and there had only been some 4-5 changes during that time pertaining to one and two-family dwellings. He explained that this information and maps could be provided to the public. A. Langford asked about homes built before 1938. E. Belansky replied that these would be included in the 1938 group. He added that 80% of these additions were pre-existing non-conforming. He noted that in the last 5-6 years only one out of 100 projects had any abutter opposition, and, in those instances, they relied on legal. E. Belansky stated that the Zoning Board of Appeals was supportive of this article.

Article 26 - Zoning Bylaw Amendment – Minor Updates to Cluster Open Space Zoning Bylaw:

E. Belansky stated that Article 26 would amend the cluster open space bylaw by decreasing the minimum acres from 10 to 5 and reducing the minimum setback from 100 to 75 feet. He explained that this article would not change undevelopable land into developable land but would protect open space. He added that it would allow open space land to be non-contiguous and off-site. He added that there were fifteen parcels currently that were 5 acres or more that this could pertain to. He said it would need to be an open space cluster which was already zoned for development. J. Clancy asked how far the land could go since it could be non-contiguous and off-site. E. Belansky replied that the land would have to be in town and be existing open space of quality. He explained, for example, that it couldn't be wetlands that was not accessible to the public. He added that this concept could be beneficial to the Town.

Article 27 - Zoning Bylaw Amendment – Historical Preservation and Reuse:

N. Araway stated that the purpose of Article 27 was to promote the investment in older, historic residential home such that the character of the town is not lost. She explained that the intent of this article was to help preserve the historic nature of the town. She said that there was no way to prohibit residents from destruction of these properties, especially where in many cases the value of the land exceeds the value of the home. She stated that this article would slow the destruction down by promoting preservation through economic incentives to owners and developers. She explained that a bonus was for an additional unit by 3-family conversion or a bonus of creating a new building lot by splitting a lot into two smaller lots. She explained that if a lot housing a historically significant structure is split, both smaller lots must be at least 50% of required lot size. She said that the 3-family must have a minimum of 2100 square feet in order to create three one-bedroom apartments. She said that the homes must be documented on Chelmsford Historic Commission's Historic Homes List or a State/National Historic Register. She added that the owner would need to sign a preservation restriction or restrictive covenant contract for a term of at least 30 years. She added that the development plan must provide for the restoration of the exterior of the property which would require investment on the part of the owner and developer. N. Araway reported that currently 108 properties would qualify for this bonus. V. Parks asked if there were any exceptions to the requirements. N. Araway replied that there were always instances where there could be exceptions made. She said that the design would have to go before the Planning Board and any exceptions would go to the Zoning Board of Appeals.

N. Araway pointed out that several historic properties have already been lost including Dutton House, McKennedy Farm House and Spaulding House. She also provided examples of existing conversion to multi-family including Sheldon House to 3-family and Richardson House and William Adams House to 4-family.

J. Clancy asked for clarification if the previous version of this article had allowed for conversion of accessory dwellings. N. Araway replied that the prior version did allow the conversion of accessory dwellings, but that section has been removed. She said that on a fully compliant lot it

had allowed for an additional 3 units in accessory dwellings. She said that the lot size was twice the size of what they were now looking at. She said that they had received a lot of feedback that with the potential for 6 families that would result in a lot of cars for one lot. J. Clancy commented that the change was then a result of listening to what was said at Town Meeting. E. Chambers suggested that at Town Meeting they articulate what has changed from the prior article. J. Clancy agreed suggesting that they state that they heard the concerns expressed at the prior Town Meeting and they have addressed them in this article. He suggested including a slide showing the changes made.

**Finance Committee Warrant Book – Timeline and Future Meetings:**

J. Clancy reported that the Recycling Committee would be coming in next week to discuss Article 32. He said that that would be followed by Public Comment and then the committee would deliberate and vote on the articles. He said that the Economic Development Committee wished to speak regarding the Groton Road Article. He asked if this would be better done via a presentation or part of the public comment section of the meeting. He asked D. Van Dyne how long he would need. D. Van Dyne replied that he would take ten minutes at most. A. Langford commented that a presentation would be better. J. Clancy said that he would add it to the schedule.

**Public Comment:**

**V. Crocker-Timmons, 28 Lovett Lane:**

V. Crocker-Timmons stated that she was a member of the Route 40 Study Committee and subsequently became a member of the Board of Selectmen and a Precinct 3 Town Meeting Representative. She stated that she was speaking as a member of the Route 40 Study Committee. She said that she wished to provide information as a data point regarding homes near the asphalt plant. She explained that Pam Armstrong who was a real estate agent had taken a cursory look at data and found that there were 500 condominiums within one-half mile of the plant and over 30 units had sold within the last 6 months for between \$200,000 and \$380,000 after an average listing time of 37 days.

**Marie Burnham, 255 Groton Road:**

M. Burnham said that she would like to request that the Town refrain from using cleaning chemicals when people would be in the building. She stated that the smell of the chemicals in the building was so strong that she was having difficulty breathing. She said that she wanted to be able to attend meetings, however, she was not able to breath. She noted that the Town knew when meetings were being held and cleaning should be scheduled around those times. J. Clancy replied that he was sorry that she was affected by the chemicals. He said that he had not noticed the smell and had no control over the cleaning schedule. M. Burnham asked that the matter be brought up as a concern that when people are in the building there should be no cleaning going on. She said that she understood the need for sanitation, but not at the expense of killing residents who wished to attend meetings.

**Mike Walsh, 7 Burton Lane:**

M. Walsh said that he wanted to make a clarification regarding the Asphalt plant. He said that when he stated that he had asked to have the air tested, he wanted to clarify that he never formally requested that such tests be done. He said that testing was brought up as discussion only and an official request had not been made of the Town.

M. Walsh said that the Finance Committee was requesting that the Economic Development Commission speak at the next meeting and he wanted to point out that D. Van Dyne, the chair of this committee, had declined to speak at the Route 40 Study Committee meeting. J. Clancy clarified that the Economic Development Commission had made a request to speak at the Finance Committee meeting. M. Walsh responded that D. Van Dyne had pushed commercial from day one but had been given the opportunity to speak at the Route 40 Study Committee for 9 months and had chosen not to. He pointed out that now that the committee has made their recommendation he suddenly has a voice.

Gerry Hall, 34 Lovett Lane:

G. Hall said that he was an abutter to Route 40 on the south side. He said that he wanted the committee to consider the future during their deliberations of the Route 40 article. He explained that they really had to think about the future of 10-15 years out rather than the next 1 to 3 years. He said that they should look at the issue from a long-term perspective and with an aging population, amenities such as medical services and an age-in-place community was the correct approach. He stated that they did not need any more bank drive-thrus as people rarely went to the bank. He said that they did not need any more supermarkets as people were moving to delivery. He said that gas stations would be less needed in the future with more electric cars. He said that they need to look at the Route 40 study from the perspective of at least 7 to 8 years out. He added that he wished that they could get younger people on the committee to help with this.

Kim Bennett, 25 Lovett Lane:

K. Bennett stated that the front of her house faces the abutters on the south side. She said that she has been following what was happening with Route 40 for some time and has had plenty of time to think about potential development and the value of her home. She added that being on the south side she had nothing to complain about, but she suggested that people take the opportunity to take a drive from Vinyl Square going into Westford. She said that it is a nice drive which already had a couple of gas stations, a convenience store, KinderCare, etc. She said that what it didn't have is any tall buildings. She said that five story buildings would take away from the area. She agreed that senior housing was needed but suggested that there were other options that did not require buildings that were 5 stories tall. She noted that if there was no interest in senior housing this plan would allow for regular multifamily housing which bothers her as she sees no need for additional multifamily housing. K. Bennett questioned why there was a need for more and more multifamily housing. She said that the large development behind Brickhouse was crazy in her opinion and would add to the existing traffic issues in the town center. She said that the Planning board had also accepted a 6 single-family home project for one-half of an acre lot on Turnpike Road. She said that this would look like nothing else in the area. She said another developer wanted to build in the center for easy access to walking routes and to Summer Street businesses. She said that if Summer Street businesses needed more traffic a marketing campaign could be put into place. She asked why there was a push for more and more multifamily. She stated that she would like to see a small senior housing project in the

Route 40 area but didn't want to see a 5-story building which would change the character of the town. She added that she did not want to see any additional multifamily housing in town as she did not see the need for it and it changes the character of the town.

Marie Burnham, 255 Groton Road:

M. Burnham said that she had come to Chelmsford due to the character of the town and the education system. She said that her children thrived in the school system and are now successful adults. She suggested that Chelmsford should not imitate Lowell. She said that residents could choose to spend half the money that they spend to live in Chelmsford to live in Lowell. She suggested that town officials should consider if they wanted to keep the quality and character of the town or if they just wanted to be an extension of Lowell.

A. Langford made a motion to adjourn. E. Chambers seconded the motion. All voted in favor.

The meeting adjourned at 9:22 PM.

Respectfully submitted,

Pamela A. Morrison