



CHELMSFORD FINANCE COMMITTEE
MINUTES

March 18, 2021

MEETING: A virtual meeting was held on Thursday, March 18, 2021 at 6:30 PM using Zoom Video Communications software.

PRESENT: J. Clancy, D. Goselin, E. Chambers, K. Duffett, V. Parks, A. Langford, and A. Tanini

ALSO PRESENT: P. Cohen, J. Sousa, R. Jackson, B. Herrmann, B. Kosicki, M. Marshall, M. Raisbeck, F. Reen, E. Belansky, N. Araway, J. Tierney, T. Lutter, and V. Crocker-Timmins

HANDOUTS: Sent via email: FY2022 Veterans Agent Budget Request, FY2022 Finance Department Budget Request for all divisions

The meeting was called to order at 6:30 PM.

J. Clancy read the following statement regarding the virtual meeting:

“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 Finance Committee 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.”

Approval of Minutes:

March 11, 2021:

Approval of the minutes was delayed until the next meeting to give all members a chance to review them.

FY2022 Finance Department Budget:

J. Sousa reported that he had reviewed the Finance Department budget in detail with A. Tanini a few weeks ago. He stated that there were no additional personnel in the Finance Department budget with the total number of FTE's staying at 14.4 as has been the case for the last few years. He reported that in the Collectors/Treasurer's office the personnel line item was increasing by \$10,665 or 2.9%. He said that this was due to the 2% non-union salary increase and two employees reaching the 15-year longevity milestone. He reported that expenses in the Treasurer's budget were level-funded at the same rate as FY2021 at \$218,250.

J. Sousa reported that in the Information Technology division personnel services increased by \$6,932 or just over 3% and expenses increased by \$300 to \$274,600. He stated that as part of the effort to have telephone landlines for all departments charged to the technology budget the telephone line item was increasing to \$29,600. He pointed out that these funds were reallocated from the computer maintenance line item.

J. Sousa reported that the Assessor's personnel line item was increasing by \$9,365 or just over 3%. He noted that this was due to step increases and the non-union pay scale increase. He said that the expense budget was increasing by \$8,000. He added that F. Reen was present at the meeting to review the revaluation line item. J. Sousa reported that the bulk of the increase in the Assessor's expense budget was in the revaluation update line item which had an increase of \$6,000. He explained that contractors were used to update the values on certain properties. J. Sousa reported that the other increase was \$2,000 in the tax bills line item. He explained that this line item included the costs to print and mail out the quarterly tax bills. He said that the increase covered the slight increase in postage. F. Reen reported that the \$6,000 increase in the revaluation update was due to the hiring of a contractor to perform the valuation on public utilities. He explained that the three large utilities in town of Colonial Gas, New England Power, and The Power Company were revalued under a new methodology mandated by the state. He stated that the new methodology required valuation of personal property to include net book value coupled with replacement costs for new less depreciation. He added that of the \$200 million in personal property in town \$95 million of it was in these three utility companies. He said that the implementation of the new method of valuation last year increased the valuation from \$68 million to \$95 million which was a 39% increase. He added that without this change the CIP would have gone up by maybe a percent or two, but as a result of the methodology change the CIP increased by about 3.3%. He said that the cost of the new valuation was \$2,000 per power company.

J. Sousa reported that personnel services in the Accounting division were increasing by about \$13,000 due to step increases and the non-union salary increase. He stated that expenses were almost level-funded increasing by only \$150. He said that the increase was in the GASB 45 actuarial update. He noted that an actuarial firm did the work each year of updating the OPEB numbers.

E. Chambers asked what had caused the drop and then spike in the tax bills line item in the Assessor's budget. He noted that it had dropped from \$40,000 in FY2019 to about \$30,000 in FY2020 and was now \$46,000 for FY2022. J. Sousa replied that he believed that these changes were due to timing issues of when the bills were printed. He explained that all bills were now

sent to be due in the same year, but in the past they had sometimes been split with part being due in one fiscal year and part being due in another fiscal year.

FY2022 Veterans Agent Budget:

R. Jackson reported that the FY2022 Veterans Agent budget was a level-funded budget. She said that the goals and mission statement of the department remained consistent to reach out to veterans regarding services that were available to them. She said that the Chapter 115 benefit line item for FY2022 was level-funded at the same amount as FY2021 at \$125,000. She pointed out that the town would be reimbursed for 75% of these funds. She added that reimbursement was about one year out with the January through March of 2020 reimbursement expected by the end of March of 2021. R. Jackson reported that there were not a lot of changes in the veteran's services even though there were a few "curve balls" with the pandemic. She said that Chapter 115 levels remained steady with no spikes. She said that currently 20-22 veterans or eligible survivors were getting assistance each month. She noted that unemployment amounts were higher than the Chapter 115 funding, so this did not increase the number of cases. R. Jackson reported that the amount of benefits paid out to 539 veterans or survivors in Chelmsford in 2020 was about \$13,800,000. R. Jackson reported that increases in healthcare enrollment of veterans have been seen in the last few months. She explained that the Veteran's Administration was one of the first groups to get the COVID-19 vaccine, but the veteran had to be enrolled in the health care system in order to receive the vaccination. R. Jackson reported that the Veteran's Day observation at the Chelmsford Veterans Memorial Park in 2020 was pre-recorded due to COVID-19. She said that they would be doing something similar for Memorial Day. J. Clancy thanked R. Jackson for her work. R. Jackson commented that she wanted to give the Finance Committee a heads-up that she would be re-requesting a part-time administrator for FY2023.

FY2022 Library Budget:

B. Herrmann reported that the book for One Book Chelmsford was *How to Be a Good Creature* by Sy Montgomery. She said that the book told the story of the author and the 13 animals that had been a part of her life. She said that it was filled with hope, gratitude, empathy, and forgiveness and she encouraged the Finance Committee members to pick up a copy at the library. She added that a virtual event would take place via Zoom on April 2, 2021. B. Herrmann reported that the year had been a challenging year for the library, but that the town had been very supportive in making the staff and the patrons feel safe. She explained that with the addition of plexiglass and cleaning the town had been progressive in getting the library back open.

B. Herrmann reported that the Town Manager had requested a level-services budget which she has provided. She stated that the 3.89% increase in salary was due to step increases or negotiated contract increases. She reminded the Finance Committee that they had to maintain state requirements for state certification including maintaining a library budget that is an average of the last three years plus 2.5%, maintaining a book budget that is 13% of the total town library budget, that the library must remain open for a minimum number of hours per week and the library must employ a certified library director with a master's degree in library science. She added that they have found it challenging to remain open for the required minimum hours during COVID-19. She explained that they had been closed from March – May of 2020. She reported that the Library Board had relaxed the library open hours standard a little due to the pandemic. She added that Chelmsford had been meeting the minimum of 59 hours since July of 2020. B.

Herrmann reported that certification resulted in receiving an extra \$40,000 to \$50,000 from the state which they used for many library programs.

B. Herrmann reported that the personnel budget was increasing by \$54,839 or 3.89%. She said that part of the increase was due to two employees reaching the 20 year longevity mark. She added that there were four employees at the 15 year mark. She pointed out that the library continued to have a great employee retention record. She added that the library also had evening and Sunday wage differentials. She said that she hoped that they would be able to open on Sundays come October. She stated that they currently paid some custodial hours on Sunday for things like stripping floors, painting, and repairs.

B. Herrmann reported that the library expense budget was increasing by 10%. She explained that the increases were specific to the pandemic and included changing all filters on the HVAC system and reprogramming them to run more frequently. She added that there were also increases in the gas and electricity line items from running systems all the time. She said that she had talked to K. Canavan and M. Joyce regarding these issues and the additional expense. She added that they were willing to bear the additional expense in order to keep the staff and the public safe. She added that currently they were seeing between 300 and 400 visitors per day at the library. She commented that it was recommended by K. Canavan and M. Joyce that the library have an ongoing contract with FSC rather than paying per incident due to the increased needs. B. Herrmann reported that the materials line item was increasing by \$2,000 which helped to meet the state requirement.

B. Herrmann reported that the pop-up mobile library had been derailed a little bit by COVID-19, but they have now put together a schedule and it would be going out on April 1st. B. Herrmann pointed out that they received a lot of money each year from gift donations. She said that they received between \$7,000 and \$8,000 each year in gift donation such as birthday, retirement, or in-memory donations. She gave a “shout-out” to the Friends of the Library for their innovative fund-raising during the pandemic such as parking lot mystery bag sales. She added that they had a healthy bank balance and fund about \$30,000 of wish list projects for the library each year. She reported that the library had 226 volunteers donating over 5,500 in hours to the library last year despite the fact that they were closed March – May.

B. Herrmann stated that she was very grateful to the town for their support in keeping the staff and the public safe during the pandemic. She stated that she was happy to report that people were showing up for online programs in droves. She said that they have offered 95 online programs and have had 4,200 people attend. She said that there was an average of 44 people per program. She added that they had banded together with other communities for virtual programming and would continue these offerings even after people were able to come to events in person.

B. Herrmann stated that she had put in a supplemental cleaning request before the governor had indicated additional COVID-19 funds would be coming to towns. She stated that funding for the additional cleaning protocols would be covered by the COVID-19 funding rather than from her supplemental request. E. Chambers asked how much the utilities would be over by at the end of June at the close of FY2021. B. Herrmann replied that they were currently 20% over the requested budget. She said that she would send the actuals to the committee. E. Chambers asked

if the additional funding of \$50,000 for utilities for FY2022 assumed the system running constantly or if it would change with vaccination and herd immunity at some point. B. Herrmann replied that they were assuming that they would run systems continuously for three-fourths of the year. She added that the current recommendation was to purge the system every morning rather than run it continuously. She said that they were looking into if their system could accommodate this.

B. Herrmann reported that they had experienced a number of successes during the quarantine including 2,079 people learning a new hobby and 179 people applying for a library card online. She said that this number would increase as they were getting between 15 and 20 library sign-ups per week. She reported that they had over 2,220 curbside pickups. She said that curbside pickup had been considered before COVID-19 and now that it was implemented it was very successful and was something that they will continue to offer after the end of the pandemic. V. Parks offered a huge thank you to B. Herrmann and her staff for all of their work and the programs that the library offers. She added that the library was a huge benefit to the community. B. Herrmann said that it has been a frustrating year, but she had a great staff, and they were doing their best to continue to serve the people.

Warrant Article 28 – Climate Change Resolution:

B. Kosicki stated that he was a member of the Chelmsford Climate Action Team which put together Article 28 calling for a resolution to address climate change and a committee to be formed to study the issue and make recommendations. He commented that the group has been using the library for the past year and a half and it has been a great resource for the group. He noted that they couldn't have gotten to where they are without the great staff at the library.

B. Kosicki stated that the committee would be tasked with studying climate change and making recommendations on strategies and specific actions for Chelmsford to achieve a goal of net-zero greenhouse gas emissions by 2050. He reported that the plan at the state level for the next 10 years will be finalized in the next couple of months which will take the steps towards net-zero to the year 2030. He noted that the plan would be available on the state web site. He added that net-zero meant reducing carbon producing emissions to very low levels and off-setting the small remainder using carbon off-sets.

B. Kosicki said that all towns in the state would have to get to net-zero, but those towns with well established climate control plans will be best able to respond and take action. He added that the state would offer incentives and grants and stated that Chelmsford had a good history of responding to green programs. B. Kosicki stated that the climate committee would be tasked with assessing where Chelmsford was at in terms of greenhouse emissions. He added that the goal for Chelmsford beyond the resolution or emissions reduction would be to educate the citizens, make yearly recommendations to the town, and work with other towns. He explained that in joining with other towns Chelmsford would have greater influence on the state. He added that the climate control committee would be a long-term committee which would assess progress and provide reports to the Select Board every five years. He added that approving Article 28 would set Chelmsford on the same path as the state, the country, and much of the world. B. Kosicki said that in other towns what has worked well for a climate committee is to have a diverse membership on a volunteer basis without funding being requested for the committee.

B. Kosicki reported that the Massachusetts state program was well under way and he thought some action at the state level would be seen within the next couple of years. He stated that a net-zero group in Chelmsford would help group Chelmsford with other climate towns and would help prepare Chelmsford for the future. He reiterated that this was a volunteer committee and there would be no cost to the town from Article 28.

E. Chambers commented that when the state passed the global warming solutions act in 2008 the goal was to have a 25% reduction by 2020. He said that as of 2018 the reduction level at the state was 22%. He asked if the specific reduction for Chelmsford was known. B. Kosicki replied that it takes two years to get the statistics so the numbers for 2020 would not be available until 2022. He reported that the executive secretary of the EEA says that the state is on track, but B. Kosicki noted that at 22% we were not at the goal yet. E. Chambers commented that the state has been a leader and an early adopter on reducing carbon emissions, so he asked if there was the need to have this committee at the local level and if this petition was put on the warrant because they thought that Chelmsford was not doing enough in terms of climate control. B. Kosicki replied that he thought that all of the cities and towns were going to have to participate in order to reach the goal.

E. Chambers stated that Chelmsford has already been designated as a green community and has received over \$1 million in grants from the Department of Energy Resources thus far. He said he could find nothing on the Green Community Division or the Department of Energy Resources web sites that recommended, endorsed, or even mentioned municipalities forming a climate change committee. He said that there was mention of forming an energy committee which Chelmsford already has. He asked if this committee couldn't address climate change without the need to form a new committee. B. Kosicki replied that he didn't say that the climate change committee had to be a brand new committee. He suggested that perhaps the energy committee could be tasked with the climate change goals. He said that the energy committee had done a lot of good work in the past and has been less active recently. He added that the town's sustainability manager would like to do a lot of the things outlined for this committee, but she doesn't have the time. E. Chambers said that the energy conservation committee had a direct connection to this project and if he were to expand to other committees that could be impacted by this he would include others such as the permanent building committee, the planning committee, the recycling committee, the Select Board, the tree committee, and even the Finance Committee. He said that it seemed like there were enough resources already available to address this without forming another new committee. B. Kosicki replied that the Article asked for a focus on climate change by a given committee rather than having it scattered among various committees.

K. Duffett asked who the committee would be giving their recommendations to. She asked if it would be annual presentation to Town Meeting, if the committee would be appointed by the Select Board, and how many members there would be on the committee. She questioned if these details were laid out for the committee. B. Kosicki replied that there was no decision on the number of members on the committee, but the Select Board would form the committee and make the decisions. He added that findings would be reported to the Select Board annually and a progress report would be provided to the Select Board every five years. K. Duffett commented that she really appreciates this article and thinks it could behoove the town to establish such a committee in the hopes that the state will offer grants or incentives to towns who are focusing on

this topic. She asked if B. Kosicki foresaw this happening. He replied that perhaps 10% of the towns have formed a climate change committee and he said that he thinks that the state will have to make some incentives for the residents and towns to meet the goal of net-zero. He noted that the electric vehicle incentive had been offered to residents only and not to towns, but that this was the type of thing that could be turned around in the future and offered to towns.

J. Clancy commented that there would be no request for funding for this article, but he questioned if there would be the need for funding in the future for things such as to do assessment on greenhouse gas emission. He questioned if the thought was that grants and funds would become available to accomplish these goals. B. Kosicki replied that he had been in contact with the Arlington climate committee and their experience was that they have been able to run for two to three years without any funding. He said that they had accomplished the first three steps on their own without assistance. He added that there may be a point where there was the need for a professional consultant, but that has not been the experience for the Arlington Committee thus far.

K. Duffett commented that Chelmsford had a very active volunteer group in town and numerous committees and members who were green thinking, environmentally thinking, and cost reduction thinking. She suggested that the committee may want to have liaisons or some kind of communications path to these other committees, groups, and meetings such that there was no duplication of efforts. B. Kosicki replied that this was a good idea as energy and climate cut across all committees. He added that there had to be some connection and the committee could not be free standing. He said he agreed that these communications should be done.

Warrant Article 37 – Zoning Bylaw Amendment – Village Center Overlay Parking Requirements:

E. Belansky stated that Planning Board members N. Araway and M. Raisbeck were present at the meeting. He reported that the Planning Board started the process of reviewing parking in the Center Village at their December 9, 2020 meeting and they held a work session on January 20th of 2021 followed by a public hearing on January 27, 2021 which was continued to February 10, 2021. He added that Town Meeting Representatives received email notification regarding the February 10th hearing. He said that the public hearing continued on February 24, 2021 and then was tabled on March 10, 2021 and is scheduled to reconvene on March 24, 2021.

E. Belansky reported that Article 37 would revise the underlying Center Village district (CV) and the Village Center Overlay District (VCOD) as it pertains to parking provisions. He said the article looks to increase parking for non-residential uses within the Center Village district. He said that this would be done by decreasing the by-right 50% reduction down to 20%. He added that it would allow for a special permit where the Planning Board could issue permits with a total reduction of up to 50%. He said that this article came about from the Planning Board's concern of providing adequate parking in the center not only for existing uses at the current time, but also looking into the future. He added that expansion of existing uses would be subject to the new parking ratio provision. He commented that the Center Village Master Planning Committee which is chaired by M. Rigney has recommended the approval of this zoning article.

K. Duffett asked what the phrase "by right" means. E. Belansky replied that it was a legal term within the zoning arena which means there is no discretion or consideration on behalf of the

Planning Board. He added that a special permit by definition allows the Planning Board to have discretion in making its decision. He stated that the article only pertains to private parking and not on-street or municipal parking. He said that currently a business is allowed a by-right 50% reduction in the amount of parking that they provide. He said that this article would reduce that amount to 20%. K. Duffett asked if this article would decrease the parking space requirement for businesses. E. Belansky replied that it would increase the requirement to 80% with the by right reduction being at 20%. A. Tanini said that she had the same question and thought it was important to clarify that going down to 20% would actually increase the parking space requirement to 80%.

J. Clancy commented that the public hearing on these articles has not been closed and the articles have not been voted on by the Planning Board so there would be the opportunity for follow-up questions next week when E. Belansky and the Planning board would be back in.

N. Araway pointed out that the zoning change in Article 37 only impacts new construction and will have no impact on existing businesses unless they make changes which would result in an increase in the parking requirement.

Warrant Article 38 – Zoning Bylaw Amendment – E-commerce:

E. Belansky stated that the genesis of Article 38 was the draft 2020 master plan update. He said that the Master Plan Update Committee has identified e-commerce as an emerging trend pre-COVID-19 which accelerated during COVID-19 and would likely continue to increase post-COVID-19. He said that the article would provide additional opportunities to existing and new businesses to adapt to rapidly changing consumer and market conditions. He pointed out that this article refers to the business that is providing e-commerce to the consumer. He said that the article defines new uses and designates districts where these uses would be permissible. He noted that the existing definition of retail already permits e-commerce to some degree, but Article 38 provides clarity and removes any confusion. He said that the article would create a new definition and a new use category for Chelmsford. He said that it defined retail, e-commerce, fulfillment center, dark stores, and ghost kitchens.

E. Belansky said that the article would define e-commerce as buying or selling products via Internet including business to business and business to consumer. E. Belansky stated that fulfillment centers were “last mile” bulk product warehousing and direct fulfillment centers. He said that they could be classified as a principal use or a co-located facility whereby it would be an accessory use to a traditional retail establishment if under 30% of the total square footage. E. Belansky said that a dark store is essentially a micro-fulfillment center where retail use is not open to the public and it is no larger than 10,000 square feet. He reported that a ghost kitchen is a commercial kitchen which has no dining area and offers made to order and catered meals and may provide customer pickup.

E. Belansky reported that in addition to providing e-commerce definitions, this article defined the areas where each type of use will be permissible. He said that CA was neighborhood commercial including the area across from Westland’s and along Chelmsford Street. He said that the Planning Board proposed that these areas would allow dark stores by special permit and they would prohibit ghost kitchens. He stated that CB is roadside commercial which included portions of Tyngsboro Road, Middlesex St, Littleton Road, Princeton Street and Drum Hill. He

said that CC was shopping center which included the center village plaza and portions of Chelmsford Street and portions of Drum Hill. He said that CD is general commercial which included Vinal Square including the gateway roadways leading into it, and Chelmsford Street from Route 495 to Fletcher Street. He said that CV was Center Village underlying zoning district and IA is limited industrial. He said that the Planning Board was proposing that dark stores and ghost kitchens would be allowed by right in the shopping center district and the limited industrial district. He added that by right would also trigger site plan approval by the Planning Board which would trigger a public hearing and abutter approval within 300 feet.

E. Belansky reported that the article would allow fulfillment centers as principal use only in the IA districts and as accessory uses in IA districts by right and with Planning Board approval in CB and CC districts. He added that accessory use in CD areas is currently set at not allowed, but it is still under deliberation by the Planning Board. He added that he believed this decision would be resolved at the March 24th public hearing.

A. Tanini asked why this topic has come up now. She asked if businesses have been asking for these additional uses. E. Belansky replied that he was not aware of any specific interest from any business. He said that it came up as part of the 2020 master plan update as a proactive zoning strategy as the committee acknowledges that this is a trend which is progressing around us. He added that this would also send a message to existing and new businesses that Chelmsford is amenable to these uses and would allow and encourage these uses in specific districts. A. Tanini asked if fulfillment centers which could bring a lot of traffic and trucks would be allowed in IA districts such as on Riverneck Road where the Mercury building is. E. Belansky replied that the former Mercury building was located in the limited industrial district which would allow fulfillment centers by right with site plan approval by the Planning Board. He added that detailed traffic studies are required as part of the site approval done by the Planning Board. He noted that any negative increase in traffic would be required to be mitigated. E. Belansky commented that part of the strategy of this article is to provide other uses that the marketplace may have an interest in. He stated that Route 129 has had a minimum of over 500,000 square feet of empty office space for over a decade. He said that the likelihood of that space being filled with traditional office uses was slim to none. He explained that part of the zoning strategy was to try to identify as many uses as possible to allow the town to reduce the vacancies and provide for new development opportunities.

E. Belansky stated that fulfillment centers ranged from 30,000 square feet to upwards of 1 million square feet. He said that for Chelmsford if there was an interest they would likely target the Route 129 area as there were existing large empty buildings and properties and it had close proximity to the highways.

J. Clancy stated that it may be helpful to provide examples of the type of businesses associated with each of the uses as it would go a long way in helping people understand what may be going into particular locations. He added that a map which identifies the areas and type of uses for each area would be helpful. E. Chambers agreed added that it may be helpful to carve up the map into sections so that residents could see what the different zones mean to them. E. Chambers questioned if this article was just making things clearer regarding uses that may already be allowed. E. Belansky replied that an argument could be made that these uses are already permissible to some extent. He said that he didn't want there to be any grey area. He

said that they wanted the zoning to be as crystal clear as possible where the town intends to promote these uses.

Warrant Article 39 – Zoning Bylaw Amendment – Recreational Marijuana Accessory Uses:

E. Belansky reported that Chelmsford's current zoning permits medical marijuana and prohibits all non-medical marijuana. He stated that Article 39 is intended to continue to prohibit the sale of non-medical marijuana while allowing 7 supporting businesses of: cultivator, cooperative, manufacturer, micro-business, testing, transporter, and research. He said that Massachusetts Cannabis Control statute requires the Select Board to vote on all uses. He added that all uses were heavily regulated with state approvals and licenses. He said that what is being proposed is special permits at the local level whenever any of these uses are proposed. He said that the Select Board would be responsible for a negotiated community impact fee which would go to the town. He said that state law allows this to be up to 3% of gross annual sales. He said that security would be handled by the Chelmsford Police and Fire Departments while any odor or nuisance issues would be handled by the Board of Health. He said that any traffic issues would be handled by the Police Department and the DPW. He added that the Planning Board would have legal discretion on decisions to grant or not to grant approval of businesses. He added that there was also the option for the Planning Board to hire third-party consultants to assist them. E. Chambers asked if the community host agreement was done as a one-time thing or if it was done on a case by case basis. E. Belansky replied that it was done on a case by case basis. He added that in order for an entity to gain approval at the state level there had to be some indication that the host community would be amenable to the business. A. Tanini asked what the steps would be for approval. E. Belansky replied that there is no defined first step. He said that prior to the proponent starting they must submit their request to the state for approval and they must provide some level of communication that the local level is either not opposed to or is supportive of the business. He said that they could go before the Planning Board or the Select Board prior to seeking state approval. A. Tanini asked if they needed approval of both boards. E. Belansky said that they didn't for seeking state approval. He explained that they only needed to provide indication of community support.

K. Duffett commented that the community (I.E. Town Meeting) has already indicated the lack of support by their vote of "no" to not allow recreational marijuana. She questioned why the Planning Board was now coming forward with this. She asked who proposed this change. E. Belansky replied that it was brought up as part of the zoning articles agenda item at the December 9th Planning Board meeting. He said that several Planning Board members brought up support businesses for non-medical marijuana, but he did not remember who exactly proposed the article. J. Clancy commented that the Planning Board would be back in at next week's meeting and this question could be addressed. M. Raisbeck stated that he did not recall who first brought up the topic, however, he said that he had an interest as there were other uses that did not involve retail sales which could be of interest to the town. He explained that allowing other uses such as testing could bring benefit to the town by attracting businesses without involving retail sales or potential security issues. He added that none of the uses being proposed were "pot shops". K. Duffett replied that the article proposed a lot of uses involving recreational marijuana which Town Meeting voted that they did not want within the town boundaries so to bring forth this article seemed like there may be underlying motivation. M. Raisbeck replied he was not aware of any underlying motivation and said that the article was just clarifying and potentially

would open the town up to additional business opportunities. N. Araway commented that this article originated in the Master Planning Committee when looking at things which could bring businesses into town. She pointed out that this article would not change the ban of retail sales of marijuana in town and the following two articles assure that the ban would remain. She said that it is part of the master plan to bring industry into town. She added that all possible marijuana uses were heavily state controlled with mandated security requirements. K. Duffett said that these uses could bring increased traffic and security issues and Town Meeting has already voted that they had no interest in this field of endeavor. N. Araway replied that she wasn't sure that marijuana businesses would bring any more traffic to town than any other business. She added that Town Meeting would have the opportunity to vote on this and make the decision. J. Clancy stated that Chief Spinney would be at the next Finance Committee meeting and could be asked about possible safety issues. A. Tanini asked if current businesses such as Novartis could use marijuana as part of their research under the current zoning. N. Araway replied that it was banned under the current zoning bylaw. E. Belansky added that the regulation starts at the state level and it is treated differently than other scientific research not involving marijuana. He said that towns could make the decision as to whether they wanted to promote these uses or prohibit them. He added that businesses may be doing things currently that the community may not know about or may not view favorably, but in terms of marijuana it has boiled down to the local level as primarily a zoning issue. He said that there may be some of the seven uses or sub-set of those uses that the town will find more amenable than others. He stated that in the surrounding towns such as Dracut, Lowell, and Tyngsboro cultivation was the most prominent of the seven uses. K. Duffett asked if farmland could be used to grow pot if this article passes. E. Belansky replied that the state regulated this, and marijuana cultivation was not defined as an agricultural land use. He added that the Planning Board was proposing these uses for only the CB and IA districts. K. Duffett asked if cultivation was done indoors. E. Belansky replied that most cultivation in Massachusetts was done indoors as it was secure. N. Araway reported that a cultivator would be speaking about the required security at next week's Planning Board meeting if Finance Committee members were interested in attending.

A. Tanini asked why approval from both the Select Board and Planning Board was not required. E. Belansky replied that when seeking state approval, they only needed to provide some indication of support at the local level. He said that in order to proceed with the business they would then need both a zoning permit and a community host certificate from the Select Board. A. Tanini asked for clarification that ultimately they would need approval by both boards. E. Belansky replied that yes, this was his understanding. He added that he would circle back to legal council on this question. K. Duffett asked if approval at the local level needed to be unanimous or by a majority vote. E. Belansky replied that for zoning they would need to have a super-majority vote of five out of seven in favor. She asked if they would only need approval of three out of the five Select Board members. He added that he would get confirmation from legal council on this question as well and would send an email to the Massachusetts Cannabis Control Commission for clarification. E. Chambers commented that it didn't necessarily matter as they had to get approval of both the Planning Board and the Select Board so where they started for the initial support was irrelevant.

K. Duffett asked if anyone has approached the town with interest in establishing businesses in any of the seven specified support industries. E. Belansky replied that the town has not been

approached with interest in these areas, adding that the only interest that has been expressed is in retail sale.

A. Tanini asked if any consideration has been given to carving out a specific area of town for these uses rather than doing it by zoning for all of IA and CB. M. Raisbeck replied that they have not considered carving out a specific area. He said that all of the activities were pretty much invisible and would not be seen or be accessible.

Warrant Article 40 – Zoning Bylaw Amendment – Recreational Marijuana Sales:

E. Belansky reported that Article 40 would only need action if Article 39 passes. He explained that if Article 39 fails there would be no need for this article as the existing zoning bylaw would remain. He said that if Article 39 passes, this article would just make a small modification which would continue the prohibition on retail sales of recreational marijuana.

Warrant Article 41 – General Bylaw Amendment – Delete Prohibition of Non-medical Marijuana Establishments:

J. Clancy said that Article 41 was just a cleanup of the general bylaw needed if Article 39 passes. E. Belansky said that this article was not a Planning Board article but was from the Town Manager. P. Cohen confirmed that this was a cleanup article to stay on top of things. He said that there would be no action if 39 and 40 fails, but if they pass this article would keep the zoning and general bylaws consistent.

Budget Hearing and Spring Town Meeting Warrant Schedule:

J. Clancy reported that the Police Department and the Fire Department would be at the next meeting. He added that follow-up discussion on the zoning articles would also take place. He stated that he would invite D. Foley in to speak about the grinder pump bylaw and he would invite the Conservation Commission in to address the land article. J. Clancy said that next week would conclude the FY2022 budget hearings and the voting could begin. He added that he did not anticipate Town Meeting taking place in April so asked the members if they wanted to push on with recommendation next week or wanted to wait to give time to digest information and vote on the second week of April. D. Goselin asked if changes to the budget were anticipated due to the stimulus package. P. Cohen replied that he did not anticipate proposing any changes to the budget at this point. He added that he did not generally include one-time funding as part of the operating budget. K. Duffett asked if Fall Town Meeting would address usage of this funding such as for reduction to OPEB or road repairs. P. Cohen replied that the funding could be addressed at Fall Town Meeting as part of free cash. He added that there were certain restrictions to the relief funds such as they could not be used to fund Middlesex Retirement. He added that the first half of the funds would come within 90 days and the remainder would come a year later. He added that the later funds would be addressed in the Spring of 2022 and would have input from the School Committee, Select Board, Finance Committee, and the community. He added that there were federal guidelines as to how the funding could be used. He noted that a lot of thought would go into how best to use these one-time funds.

J. Clancy asked if there was any chance that the Town Meeting would move forward on April 26th. P. Cohen replied that Town Meeting would not happen in April. He stated that J. Kurland was working on a few dates and would most likely finalize on Monday the 28th. He added that the date would be June 15th at the earliest, so he suggested planning for mid to late June.

J. Clancy asked if the Finance Committee wanted to plan on making recommendations next week or if they wished to start fresh on April 8th. K. Duffett replied that she would prefer to start fresh on the 8th. E. Chambers commented that the Police and Fire Department budgets should not take long this year and suggested being done with voting at the March 25th meeting. A. Tanini and A. Langford agreed. D. Goselin said that he would go along with the majority. V Parks concurred.

Public Comment:

None.

K. Duffett made a motion to adjourn. D. Goselin seconded the motion. All voted in favor.

The meeting adjourned at 8:54 PM.

Respectfully submitted,

Pamela A. Morrison

Chat from Finance Committee Meeting of 3/18/2021

18:35:24 From Vicky Parks to Everyone: Would we like to share the presentation for viewers?

18:36:07 From Vicky Parks to Everyone: Thank you.

19:51:53 From Vicky Parks to Everyone: Jim, I have a question.

19:52:09 From Vicky Parks to Everyone: when presentation is complete

19:52:52 From Jim Clancy to Everyone: ok

19:56:58 From Vicky Parks to Everyone: Are there any current, pending applications for Dark stores or fulfillment centers?

19:57:16 From KDUFFETT to Everyone: if someone has an ETSY account and ships from their home... does this apply/

19:57:17 From Vicky Parks to Everyone: Thank You

19:58:00 From Vicky Parks to Everyone: Do we currently have any "ghost kitchens"?

19:58:13 From KDUFFETT to Everyone: also, were traffic studies done to see if these types of uses will cause adverse traffic concerns.

20:01:05 From Vicky Parks to Everyone: Does Chelmsford have permittable "warehousing" permitted in all of those zoning locations detailed for these fulfillment centers as well?

Excellent presentation, thanks for your work on this detail.

20:05:54 From 00 Nancy Araway to Everyone: All of the uses permitted in IA can be found in the table at this link <https://www.ecode360.com/attachment/CH1747/CH1747-19>