

Board of Selectmen Meeting: March 29, 2016
Present: Murphy, Freiman, Gibbs, Searle, Morgan
Also Present: Larsen, Jop, Harrington
Minutes Approved: April 11, 2016

Meeting called to order at 6:15 pm.

1. Citizen Speak

None.

2. Article 36 Historical Commission

Mr. Tad Heuer, Chair of the Historical Commission joined the Board. The Board noted that since the initial meeting on March 16th, several concerns have been raised on the proposed Article 36. The Board discussed whether the proposed language is an expansion of the Historical Commission's power given they did not see under the state statute the authorization to designate buildings, structures, and properties as historic. Mr. Heuer discussed the genesis of the article and noted the Building Inspector has taken a conservative interpretation on the Stretch Energy Code which under his interpretation would only exclude state, national, and local historic district properties from the Stretch Energy Code. Mr. Heuer's opinion was the MGL 40 Section 8D authorizes the Historical Commission to conduct surveys, thus to designate properties as historic which would exempt those properties from the Stretch Energy Code.

Mr. Harrington noted his opinion that the proposal would be creating a new authority for the Historical Commission to designate properties, which would be unique in Massachusetts. Mr. Harrington noted he and Ms. Jop would be meeting with the Building Inspector on Thursday, March 31st to further discuss the matter.

Mr. David Himmelberger, Town Meeting Member, noted he was concerned over the term "designation" with no specificity. He was concerned the Historical Commission could designate land as historic and used the North 40 as an example. Mr. Himmelberger noted the term "historic" comes up in the Zoning Bylaw with regards to Large House Review landscaping, under the Design Review Board, and under the Natural Resources Protection Zoning (NRPZ). Mr. Himmelberger disclosed he represents the owners of 135 Great Plain on a NRPZ subdivision at present and described the interactions with the Historical Commission as part of that process. Mr. Himmelberger was advocating for a friendly amendment to specify the designation would be for the purposes of the Stretch Energy Code.

The Board noted they would not make a decision tonight, but rather would wait until after Town Counsel and Ms. Jop report back to the Board on the meeting with the Building Inspector.

4. Preparations for Annual Town Meeting

The Board discussed holding a meeting on Friday, April 1, to vote on the Collective Bargaining Agreements, discuss Route 9 and Kingsbury, and to continue the discussion on Article 36.

The Board of Selectmen's meeting adjourned at 6:55 pm.