

Special Town Meeting Minutes
April 8, 2019

Town Moderator Steve Doherty, called the Special Town Meeting to order on April 9, 2018 at 7:30 p.m. in the Town Hall Auditorium, 298 Central Street, Saugus, MA with 42 members present. A quorum was met.

Joyce Rodenhiser from precinct 1 and Peter Rossetti from precinct 2 were appointed and sworn in as tellers at 7:31 p.m.

Town Clerk, Ellen Schena, called the roll at 7:31 p.m.

Town Meeting Member name	Present/ Absent	Town Meeting Member name	Present/ Absent	Town Meeting Member name	Present/ Absent
BARTOLO, J.	P	BRAZIS, K	P	BROWN, W.	P
CAMUSO, R	P	CANTERBURY, M	P	CICOLINI, J.	P
COBURN, J.	A	CONNORS, A.	P	COSTELLO, M.	P
COTTAM, J.	P	CURRIE, K.	P	DEVLIN, F.A.	P
DIGIROLAMO	P	DINARDO, A.	P	DIVIRGILIO, S.	A
DOHERTY, S.	P	DUNN, S.	P	FALASCA, T.	P
FISHER, R.	P	FOWLER, J.	P	GOODWIN, P.	A
GROARK, L.	P	HORLICK, S.	A	JONES, C.	P
KELLY, D.	P	LAVOIE, R.	P	LEUCI, W.	A
LOPRESTI, A.	A	MARCHAND, W.	P	MCCABE, K.	P
MCCARTHY, S.	P	MORESCHI, C.	P	NICKOLAS, G.	P
PAOLINI, M.	P	POLITANO, K.	P	PRIZIO, P	A
RANDO, P	P	RODENHISER, J.	P	ROSSETTI, P.	P
SERINO, M.	P	SPENCER, B.	P	STEWART, W.	P
SWEEZEY, S.	P	TRAVERSE, T.	P	THOMPSON, R.	P
WALLACE, R.	P	WHITCOMB, M.	P	WHYTE, C.	A
WITTEN, R.	P	WORTHLEY, J.	P		

41 Members present + Moderator, a quorum is met.

Moderator Doherty informs Town Meeting of the new member to Precinct 3 Greg Nickolas replacing Steven Murphy who moved out of town. Also informed town meeting that Pam Goodwin, Bill Leuci and John Coburn reached out stating they were unable to attend.

Acceptance of the Minutes from the previous session(s). at 7:35pm
Unanimous acceptance.

Reports from Committees; Finance Committee Report at 7:37p.m.

Ken DePatto speaks for the Finance Committee at 7: 37 PM stating the Finance Committee has been meeting regularly for the Annual Town Meeting budget. They are right on schedule. On this Special Town Meeting Warrant, FinCom has made their recommendations for Town Meeting on both borrowing articles will be made thru the tax levy. He hopes Town Meeting will support the recommendations.

Peter Rossetti chairman from the Planning Board speaks at 7:40pm discussing the four Zoning Articles for this Special Town Meeting. He addressed Article 4 that it didn’t pass due to the wording on the Article all the board members support the concept just not the actual wording. The other Zoning Articles were recommended.

No other Committee Reports.

As a courtesy to the Finance Committee, Mr. Connors moves Article 1 to the floor for consideration as recommended.
Seconded at 7:42.p.m.

Article as written:

Article 1. To see if the Town will vote to appropriate a sum of money for reconstruction of existing sidewalks and construction of new sidewalks with granite curbing, including the payment of costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Town Manager)

No Discussion on Article 1.

Article as voted: Voted to recommend that \$310,000.00 is appropriated for reconstruction of existing sidewalks and construction of new sidewalks with granite curbing, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under G.L. c.44, §7(1) or any other enabling authority; that the Board of Selectmen or the Town Manager is authorized to take any other action

necessary or convenient to carry out the projects; and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Seconded at 7:43p.m.

Article 1 passed as recommended, by unanimous voice vote at 7:44 p.m.

As a courtesy to the Finance Committee, Mr. Connors moves Article 2 to the floor for consideration as recommended.

Seconded at 7:45.p.m.

Article as written:

Article 2. To see if the Town will vote to appropriate a sum of money for designing, constructing, repairing and replacing parks and playgrounds in the Town, including the payments of costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Town Manager)

Martin Costello Precinct 10 speaks at 7:45pm asking for purposes of clarification on the handout given on the basketball courts are referred to “official high school basketball courts”. Scott Crabtree, Town Manager says it is high school regulation.

Bill Brown Precinct 6 speaks at 7:46pm regarding a list of improvement to Evans Park and the trash receptacles at \$1,500.00 each and why so expensive? Scott Crabtree, Town Manager states it is not just trash barrels.

Article as voted: Voted to recommend the sum of \$500,000.00 be appropriated for designing, constructing, repairing, and replacing parks and playgrounds in the Town, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said amount under G.L. c44, s7(25) or any other enabling authority; that the Town Manager is authorized to contract for and expend any federal or state aid available for the projects; and that the Board of Selectmen or Town Manager is authorized to take any other action necessary or convenient to carry out this project; and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Call for the vote.

41 Yeas
1 Nay by Matthew Canterbury Precinct 6

Article 2 passes with majority voice vote at 7:48pm

As a courtesy to the Finance Committee, Mr. Connors moves Article 3 to the floor for consideration as recommended.

Seconded at 7:48.p.m.

Article as written:

Article 3: To see if the Town will vote to appropriate a sum of money for repairing or replacing HVAC in a town and/or school building, including the payment of costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Town Manager)

Martin Costello Precinct 10 a point of clarification on the wording on the article on the HVAC System in the school and wondering if it has gone out to bid. And if the system is so far gone that needs to be replaced or is it going to be repaired.

Scott Crabtree, Town Manager speaks at 7:50pm regarding the questions as well has other mechanical issues. Last spring the compression unit broke down and they managed to get through putting more strain on the other units. Needs to be replaced so stop putting pressure on the other units. A bid estimation came in that will cover this money and solicited anything cheaper. Using the Green Community Grant as well.

Call for the vote.

Article as voted: Voted to recommend the sum of \$30,000 to be appropriated for the repair or replacement of HVAC at the Veterans Memorial School. The source of funding is free cash.

Article 3 passed as recommended, by unanimous voice vote at 7:52 p.m.

As a courtesy to the Town Manager, Mr. Connors moves Article 4 to the floor for consideration as recommended.

Seconded at 7:53.p.m.

Article as written:

Article 4: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus adding the following:

Section 2.4 Building Moratorium-Multi-family Dwellings No new building permits shall be issued for the construction of

multi-family dwellings consisting of three or more dwelling units in any zoning district in the town for a period of two years. The reason for this temporary moratorium is that the Town is experiencing an unanticipated increase in the construction of multi-family dwellings and, as a result, the town is conducting an analysis and/or comprehensive study to determine the impact of said construction on police, fire, and emergency public safety, the school district, the water, sewer, and roadway infrastructures and the safety of the general public. (Town Manager)

Amendment presented to Town Moderator by Mike Serino Precinct 10 reads as such:

Amendment: This Moratorium shall not apply to building permits for future phases of any project which has obtained all required permits and approvals (except building permits) prior to the effective date of this Bylaw.

Seconded at 7:54p.m.

Mike Serino Precinct 10 speaks at 7:54p.m. regarding how this article will protect any developers that already filed with the Town.

Martin Costello Precinct 10 speaks at 7:55p.m. assuming they vote for this article, he wants to know who will do the determination at the conclusion of the 2 year period.

Town Moderator states only the amendment must be discussed right now.

Mr. Paul Feldman is an attorney representing the owners of 860 Broadway. Needs permission to attend Town Meeting. He is not a Saugus resident. He resides at 46 Bondwood Road, Needham MA.

Town Moderator asks Town Meeting Members of any objections to Mr. Feldman speaking.
No issues he can speak at 7:57p.m.

Mr. Feldman states he is more worried about the wording of the Article. In 2017 Town Meeting amended the Town's Bylaws which affects his clients. He is requesting that his client who started this in 2017 and received all his Site Plan Approval is apply to complete the project already approved. The Town encouraged multi-family housing. Now there is more development then the Town expected. He asks Town Meeting Member that made the amendment make another amendment that would include what his client already has received approval. This is in fairness to his client who has gotten to his point.

Nelson Chang, resides at 21 Pleasant Ave in Saugus speaks at 8:00p.m. with offices at 47 Jackson Street, Saugus, MA. He feels the article goes too far not allowing small projects already going on in town. Currently, he represents the owners at 180 Central Street or Prankers Mills. The property was purchased for 1.2 million specifically for the purchase for developing on the Historic Mills Bylaw encouraging the development. By passing this bylaw, would halt his client from renovating the property in that area. He recommends that the bylaw exclude the historic district. He suggests to amend the bylaw to exclude the Historic Mills District and the River water bylaw as well.

John Andreucci, 14 Norman Rd speaks at 8:04 p.m. mentioned the previous speakers "fairness" and wants to know what fairness to who? People specifically moved to Saugus without these multi-family homes. These changes to our community from a rural setting to more of a city. Please take this into account when you make your decision.

Martin Costello Precinct 10 speaks at 8:07p.m. regarding the attorneys that are in the room looking for exempts to the article if it is passed based on their states on the where their projects are at. He wants to know if anyone in the room, planning board can tell him are how many would need exemptions. He is looking for a number.

Peter Rossetti Precinct 2 speaks at 8:09p.m. that the Planning Board does not issue building permits and wouldn't comment on this. It is more specific to the Building Inspector or the Town Manager.

Ann Devlin Precinct 1 speaks at 8:10p.m. to please have the Town Moderator repeat the entire Amendment and to the Chairman of the Planning Board whether the Amendment would satisfy the wording issues the Planning Board had concerning this Moratorium bylaw.

Town Moderator re-reads the Amendment.

Peter Rossetti Precinct 2 speaks again at 8:11p.m. he is only 1 member of the board and 3 other members voted that even. He can only tell Town Meeting that their concerns with the wording on existing projects and not on policies. That this should be up to town meeting to decide.

Mike Serino Precinct 10 speaks at 8:12p.m. in hopes Town Meeting will support this amended for those projects that already exist. Too much residential being built in town.

Joyce Roderhiser moves for the question.

This is on the Amendment to add to Article 4: This Moratorium shall not apply to building permits for future phases of any project which has obtained all required permits and approvals (except building permits) prior to the effective date of this Bylaw.

Unanimous voice vote yea at 8:14p.m.

No Discussion on original article with the amendment.

Article as voted: Section 2.4 Building Moratorium-Multi-family Dwellings No new building permits shall be issued for the

construction of multi-family dwellings consisting of three or more dwelling units in any zoning district in the town for a period of two years. The reason for this temporary moratorium is that the Town is experiencing an unanticipated increase in the construction of multi-family dwellings and, as a result, the town is conducting an analysis and/or comprehensive study to determine the impact of said construction on police, fire, and emergency public safety, the school district, the water, sewer, and roadway infrastructures and the safety of the general public. This Moratorium shall not apply to building permits for future phases of any project which has obtained all required permits and approvals (except building permits) prior to the effective date of this Bylaw.

Now the original article with the Amendment
Seconded at 8:15pm

Article 4 passed as recommended, by unanimous voice vote at 8:16 p.m.

As a courtesy to the Town Manager, Mr. Connors moves Article 5 to the floor for consideration as recommended.
Seconded at 8:16.p.m.

Article as written:

Article 5: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus by adding the following:

Amend Article V -- USE REGULATIONS Table of Use and Parking Regulations

By adding the following section under Residential:

8. Bed and Breakfast Establishment	R-1	R-2	R-3	R-4	B-1	B-2	B-3	I-1	I-2	F.P.
	--	--	--	--	S1	S1	S1	S1	S1	--

Mike Serino Precinct 10 speaks at 8:16p.m. states that Articles 5, 6 and 7 are all tied together to strengthen the new Zoning Bylaws for the security of the Town. People running B&B's that are not safe for the residential areas.

Article as voted: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus by adding the following:

Amend Article V -- USE REGULATIONS Table of Use and Parking Regulations

By adding the following section under Residential:

8. Bed and Breakfast Establishment	R-1	R-2	R-3	R-4	B-1	B-2	B-3	I-1	I-2	F.P.
	--	--	--	--	S1	S1	S1	S1	S1	--

Call for the vote.

Article 5 passed as recommended, by unanimous voice vote at 8:19 p.m.

As a courtesy to the Town Manager, Mr. Connors moves Article 6 to the floor for consideration as recommended.
Seconded at 8:20.p.m.

Article as written:

Article 6: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus by adding the following:

Amend Article III -- DEFINITIONS

By adding the following new definition:
Short-term Rental: as defined in MGL Chapter 64G Section 1, an owner-occupied, tenant-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment. A Short-term Rental shall mean rooms being rented for a period of not more than thirty one (31) consecutive calendar days.

Amend Article V -- USE REGULATIONS Table of Use and Parking Regulations

By adding the following section under Accessory Use:

12. Short-term Rental	R-1	R-2	R-3	R-4	B-1	B-2	B-3	I-1	I-2	F.P.
	--	--	--	--	S1	S1	S1	S1	S1	--

Mike Serino Precinct 10 speaks at 8:20p.m. ties in with the State Legislature that just passed on "Short Term Rentals" this mirrors the state law. Getting them out of the residential districts more into the industrial districts.

Matt Canterbury Precinct 6 speaks at 8:21p.m. some clarification asking would this exclude apartment complexes (where they have a club unit) and condos that have a community where they rent out for family that come for short periods of time or corporate people or corporate housing that rent for short term.

Mike Serino Precinct 10 explains it excludes Short Term Rentals 31 days or less.

Article as voted: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus by adding the following:

Amend Article III -- DEFINITIONS

By adding the following new definition:
Short-term Rental: as defined in MGL Chapter 64G Section 1, an owner-occupied, tenant-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment. A Short-term Rental shall mean rooms being rented for a period of not more than thirty one (31) consecutive calendar days.

Amend Article V -- USE REGULATIONS Table of Use and Parking Regulations

By adding the following section under Accessory Use:
12. Short-term Rental R-1 R-2 R-3 R-4 B-1 B-2 B-3 I-1 I-2 F.P.
 -- -- -- -- S1 S1 S1 S1 S1

Call for the vote.

Yeas 40
1 Nay by Matthew Canterbury Precinct 6

Article 6 passes with majority voice vote at 8:24p.m.

As a courtesy to the Town Manager, Mr. Connors moves Article 7 to the floor for consideration as recommended.
Seconded at 8:26.p.m.

Article as written:

Article 7: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus by adding the following:

Amend Article III -- DEFINITIONS

By deleting the word “Unit” from the definition Lodging Unit and replacing it with the word “House” as to read: Lodging House.

By adding the following to the end of the existing definition:

No more than four roomers shall be allowed. Thus, the entire “Lodging House” definition shall read as follows:

Lodging House: One or more rooms for the use of one or more individuals not living as a single housekeeping unit and not having cooking facilities. A lodging house shall include rooms in boarding houses, tourist houses and rooming houses. No more than four roomers shall be allowed.

Amend Article V -- USE REGULATIONS Table of Use and Parking Regulations

By deleting the entire section under Residential:
7. Lodging House-Roomers R-1 R-2 R-3 R-4 B-1 B-2 B-3 I-1 I-2 F.P.
(No more than four roomers)
 S1 S1 S1 -- -- -- -- -- -- --

By adding the following section under Residential:
7. Lodging House R-1 R-2 R-3 R-4 B-1 B-2 B-3 I-1 I-2 F.P.
(No more than four roomers)
 -- -- -- -- S1 S1 S1 S1 S1 --

Mike Serino Precinct 10 speaks at 8:26p.m. who clarifies the article for Town Meeting (housekeeping article).

Article as voted: To see if the Town will vote to amend the zoning bylaws of the Town of Saugus by adding the following:

Amend Article III -- DEFINITIONS

By deleting the word “Unit” from the definition Lodging Unit and replacing it with the word “House” as to read: Lodging House.

By adding the following to the end of the existing definition:

No more than four roomers shall be allowed. Thus, the entire “Lodging House” definition shall read as follows:

Lodging House: One or more rooms for the use of one or more individuals not living as a single housekeeping unit and not having cooking facilities. A lodging house shall include rooms in boarding houses, tourist houses and rooming houses. No more than four roomers shall be allowed.

Amend Article V -- USE REGULATIONS Table of Use and Parking Regulations

By deleting the entire section under Residential:

7. Lodging House-Roomers (No more than four roomers)	R-1	R-2	R-3	R-4	B-1	B-2	B-3	I-1	I-2	F.P.
	S1	S1	S1	--	--	--	--	--	--	--

By adding the following section under Residential:

7. Lodging House (No more than four roomers)	R-1	R-2	R-3	R-4	B-1	B-2	B-3	I-1	I-2	F.P.
	--	--	--	--	S1	S1	S1	S1	S1	--

Article 7 passed as recommended, by unanimous voice vote at 8:27 p.m.

Moderator asks for a motion to adjourn the 2019 Special Town Meeting on April 8, 2019 sine die.
Motion called for an Adjournment.

Seconded at 8:27 p.m.

Unanimous voice vote at 8:27p.m. to adjourn sine die.

Respectfully submitted

Ellen Joyce Schena
Town Clerk