

**ADVISORY COMMITTEE RECOMMENDATIONS  
FOR THE  
TOWN OF FOXBOROUGH'S  
SPECIAL TOWN MEETING**

**December 5th, 2016**

## Foxborough Advisory Committee

### Mission Statement

The Foxborough Advisory Committee is responsible for providing recommendations to the Town residents on department budgets and Town Warrant articles as part of the Town Meeting process. In preparation for Town Meeting, the Advisory Committee reviews each department's budget and researches all Warrant Articles. This is done by meeting with each department head, holding public meetings for discussion and question opportunities and thoroughly researching each of the topics. Following this process, the committee then takes a vote and collectively puts forth a recommendation to the Town residents at the Town Meeting.

### Members

### Term Expires

Susan Dring (Chairman)	June 2019
Bernard Dumont (Vice Chairman)	June 2018
Javed Hussain	June 2017
Heidi Krockta	June 2017
Kristin Papianou	June 2017
Seth Ferguson	June 2017
Thom Freeman	June 2018
Stephanie McGowan	June 2018
Jessica Allen	June 2019
Robert Canfield	June 2019
Sean McCarthy	June 2019
Brent Ruter	June 2019

**SUMMARY OF TOWN WARRANT RECOMMENDATIONS**  
**SPECIAL TOWN MEETING**  
**December 5, 2016**

<b>Article No.</b>	<b>Article (AdCom Presenter)</b>	<b>Recommendation</b>
Article 1	Foxboro Center Overlay District Map (Freeman)	Approval
Article 2	Zoning Bylaw Amendment 6.1.2 (Allen)	Approval
Article 3	Site Plan Review (Ruter)	Approval
Article 4	Zoning Bylaw Amendment 11.1 (Dumont)	Approval
Article 5	Municipal Conversion Permit (McGowan)	Approval
Article 6	DCAMM Use Restrictions Release Request (Dring)	Approval
Article 7	Chestnut Payson Overlay District Map (Canfield)	Approval
Article 8	Fund Stabilization (Dumont)	Approval
Article 9	FY'15 Budget Adjustment (Krockta)	Approval
Article 10	Unclaimed Property Statute Acceptance (Krockta)	Approval
Article 11	Rescind Borrowing Authorization (Dumont)	Approval
Article 12	Building Demolition Bylaw Amendment (Ferguson)	Approval
Article 13	Downtown Sewer Design & Testing (Freeman)	Approval
Article 14	FY'17 Capital Budget Adjustment (Papianou)	Approval

**ARTICLE 1: FOXBORO CENTER OVERLAY DISTRICT MAP**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 1:**

**VOTE OF 10-0-0**

The Advisory Committee recommends the approval of Article 1, to update the Foxborough Center Overlay District map to include the defunct Keating Funeral Home property in the General Business District, so that it is contiguous with the former Fire Station property. While this oversight has not had any effect on prior bidding, this housekeeping issue will alleviate any potential future complications.

**ARTICLE 2: ZONING BYLAW AMENDMENT 6.1.2**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 2:**

**VOTE OF 10-0-0**

The purpose of this article is to correct a table number reference in the Foxborough Zoning Bylaw Section 6.1.2. This amendment was brought forth by the new Town Planner, Paige Duncan, after she noticed the typo in her review of the bylaws. Section 6.1.2 Subsection 2 of Chapter 275 of the Town of Foxborough Code is intended to give guidance on the amount of on-street parking spaces that can be counted toward off-street parking spaces for all uses other than residential and multifamily purposes. As is, the table currently referenced in the second paragraph (Table 6-2) refers to a table labeled, "Parking Lots Dimensional Requirements" (Table 6-2) instead of the desired table labeled, "Minimum Off-Street parking Requirements" (Table 6-1). Thus, if the Town approves the change proposed by Bylaw Amendment 6.1.2, changing the table referenced from 6-2 to 6-1, the correct requirements will be referenced.

**ARTICLE 3: SITE PLAN REVIEW**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 3**

**VOTE OF 10-0-0**

This article would amend the Town's Zoning Bylaw to allow the Planning Board sufficient time to conclude public hearing(s) and render a decision. The timelines in the current bylaw are untenable -- allowing no time for delays due to weather, failure to reach a quorum, or the Board's prerogative to extend testimony and discussion over successive meetings. Under the current bylaws, failure to *conclude* all public hearings within 21 days and render a decision within 15 days, would automatically result in the petition being granted.

Extending the timelines as recommended in this article to 21 days to open hearings and 30 days for a decision, allows sufficient time for public testimony and subsequent deliberation by the Planning Board. The amended timelines will still see that such site reviews are both heard and decided upon much faster than all of our neighboring communities.

**ARTICLE 4: ZONING BYLAW AMENDMENT 11.1**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 4:**

**VOTE OF 6-0-3**

The purpose of this article is to determine if the Town will vote to accept a request by the Daniels family of Normandy Farms to amend the existing definition of a campground to allow for “non-camping guests” to attend functions in building facilities on the campground site. The expanded use of the property would allow for the planned newly constructed Normandy Farms facility to accommodate not only campground users, but also non-camping patrons with functions such as weddings, family reunions, and business and educational conferences.

The Daniels family has owned and operated Normandy Farms since 1759 and they are hoping to adapt and diversify their business so that it may continue for future generations.

The Advisory Committee held meetings with Bill Casbarra (Building Commissioner), John Rhoads (Vice Chairman of the Planning Board) and Barney Ovrut (Chair of the Zoning Board of Appeals). They provided clarity on the wording of the article and details of how public hearings would take place for reviewing any projects on the property. In some cases, the Conservation Commission would also hold public hearings on a proposal.

Given the reassurance of significant vetting by both the Planning Board and the Zoning Board, including public hearings before authorizing new projects at Normandy Farms, the Advisory Committee is satisfied that there are controls in place to review the application of any projects and set conditions of approval, e.g. traffic controls and noise levels.

**ARTICLE 5: MUNICIPAL CONVERSION PERMIT**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 5:**

**VOTE OF 11-0-0**

The Planning Board is requesting to amend the Municipal Conversion Permit process. This change would allow for an increase from 21 to 30 days from the time the board receives the application to the date of the public hearing.

They are also requesting to change the words "conduct" to "open", and "date" to "close", pertaining to the public hearing process.

With these changes they request to allow an increase from 21 to 30 days to issue a permit from the close of the public hearing.

The Advisory Committee feels these are all reasonable requests due to the time required to post, get applications to the other Town Boards, and receive feedback for each permit. The Planning Board always does its best to expedite this process, but with Boards meeting on different schedules and cancellations due to bad weather or vacations, we concur the added days are needed.

**ARTICLE 6: DCAMM USE RESTRICTION RELEASE REQUEST**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 6:**

**VOTE OF 10-0-0**

If approved, this article will change the use of a parcel of land located at Chestnut Green. This parcel was given to Foxborough by the State of Massachusetts for recreational purposes. Currently, two rundown buildings from the State Hospital (the laundry building and the paint shop) are on the parcel. The land is unsuitable for recreation; therefore the Town would like to change the use of the land so that it may be sold. In addition to receiving funds for the property if sold, the Town will also be spared the expense of both repairing the buildings and dealing with any possible chemical waste.

**ARTICLE 7: CHESTNUT-PAYSON OVERLAY DISTRICT MAP**

**Planning Board**

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 7:**

**VOTE OF 11-0-0**

The purpose of this article is to amend the current map of the Chestnut-Payson Overlay District (CPOD) to include 4.53+/- acres of additional land. This article is in conjunction with Article 6. The proposed land is not desirable for recreational purposes due to existing buildings on the land and the Recreation Department has explicitly stated there is no interest in developing the land. As the land is currently only accessible through the current CPOD, it makes sense to amend the current CPOD map to include this land so that the land may be developed as part of the CPOD.

**ARTICLE 8: FUND STABILIZATION**

**Board of Selectmen**

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 8:**

**VOTE OF 10-0-0**

This article ensures that the Town is compliant with its financial policy of maintaining a 5.0% target for the Stabilization Fund Balance.

For Fiscal Year Ending 2017, the Stabilization Fund Balance is estimated at \$3,097,689 or 4.84% of the General Fund Operating Budget of \$64,054,801. By recommending the transfer of \$280,000 from Free Cash, the Stabilization Fund Balance would grow to \$3,377,689 (\$3,097,689 + \$280,000), or 5.27% of the General Fund Operating Budget.

The Stabilization Fund is the Town's "disaster fund", available to prevent extreme financial emergencies - by ensuring that debt service payments will be made in a worst case financial scenario. It is important to note that funds can be deposited into Stabilization at Town Meeting by a simple majority vote of the Town, while appropriation of Stabilization Funds requires a 2/3rd vote.

**ARTICLE 9: FY '15 BUDGET ADJUSTMENT** **BOARD OF SELECTMEN**  
**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 9: VOTE OF 10-0-0**

The Conservation Commission is no longer offering the home at 120 Spring Street for rent. The funds allocated in the FY ' 15 Budget for repairs to the property are being requested to be re voted to fund the demolition of the structure. This article is requesting that the \$16,500 be moved to the Central Maintenance budget to then be used to remove the structure, which is in significant disrepair, and also to be used to take down the condemned Quaker School structure at the corner of South and West streets.

**ARTICLE 10: UNCLAIMED PROPERTY STATUTE ACCEPTANCE** **BOARD OF SELECTMEN**  
**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 10: VOTE OF 10-0-0**

The Town would like to accept Chapter 200A Section 9A of the Massachusetts General Laws regarding the disposition of abandoned funds. This acceptance would allow the Town to follow the State guidelines with regard to handling of uncashed Town issued checks. A list of Town issued checks not cashed after a period of at least one year would appear in the local newspaper. Unclaimed funds would revert to the Town's General Fund.

**ARTICLE 11: RESCIND BORROWING AUTHORIZATION** **Board of Selectmen**  
**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 11: VOTE OF 10-0-0**

The purpose of this article is to cancel the borrowing authorization for the balance unissued of the following articles:

**Water Treatment Facility (Article 7):**

\$7,000,000 Amount originally authorized at 05/10/2010 Town Meeting  
(5,800,000) Amount Issued  
(382,602) Amount cancelled on 05/14/2012  
\$817,398 Balance unissued

**Land Acquisition (Article 10):**

\$250,000 Amount originally authorized at 05/14/1990 Town Meeting  
(180,000) Amount Issued  
\$70,000 Balance unissued

This is essentially a need for “clean-up/housekeeping” given aging of the balance unissued. Should there ever be a need to fund the articles, the Town has sufficient cash to finance such request.

**ARTICLE 12: BUILDING DEMOLITION BYLAW AMENDMENT** **Historical Commission**  
**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 12: VOTE OF 9-0-0**

The purpose of this article is to limit the scope of the historical commission’s review process from including structures that are older than 50 years to structures that are older than 75 years. In addition, language would be added to the rule that allows for structures falling within the scope of the review process to be inspected by the commission via walkthrough of the structure. The proposal would change sections 2 and 3 of Chapter 88 by replacing instances of the words “over 50 years old” with “over 75 years old”. In subsection B of section 3, the paragraph would be appended to include “The commission shall be allowed to tour the building, if necessary, to inform the preliminary recommendation.”

**ARTICLE 13: DOWNTOWN SEWER DESIGN & PRELIMINARY TESTING** **Board of Selectmen**  
**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 13: VOTE OF 10-0-0**

The purpose of this article is to see if the Town will vote to pay \$50,000.00 for the preliminary testing and plan design for the purpose of constructing a Phase I Sewer system to serve a portion of the Downtown Business area and surrounding streets. The requested funds will come from Free Cash. The remainder of the estimated \$468,000.00 project will be brought before the Town voters upon the results of this testing.

**ARTICLE 14: FY'17 CAPITAL BUDGET ADJUSTMENT** **Board of Selectmen**  
**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 14: VOTE OF 8-0-2**

The purpose of this article is to transfer funds in the amount of \$565,000 from Ambulance Receipts to fund the replacement of Fire Engine #24. The frame of Engine #24 is in critical condition which, along with electrical issues, has caused it to be out of service for costly repairs. The replacement Fire Engine, which will take 8 - 10 months to build, will model Engine 21 which allows for consistency for emergency personnel who work on both engines. The Town currently has a price guarantee for the replacement engine through the end of 2016 which results in a \$20,000 savings versus waiting until the next budget cycle should this Article be supported at Town Meeting, which is the recommendation of the Advisory Committee.