

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

**November 17, 2014**

## Foxborough Advisory Committee

### Mission Statement

The Advisory Committee provides a report to the Annual Town Meeting and all Special Town Meetings on budget appropriations and all other municipal matters. In preparation for the Town meeting, the Advisory Committee reviews the budget and Warrant Articles, meets with department heads, holds public meetings in order to work through department items and makes a recommendation at the Town Meetings.

### Members

Tracey Vasile (Chairman)	June 2015
Thom Freeman Jr. (Clerk)	June 2015
Larry Stern	June 2015
Monica Fisler	June 2015
Kristin Papianou	June 2015
Larry Thomas (Vice Chairman)	June 2016
Heidi Krockta	June 2016
Susan Dring	June 2016
Christopher Calnan	June 2016
Patrick Mosesso	June 2016
John Chlebek	June 2017
Javed Hussain	June 2017

## DEPARTMENT LIASION ASSIGNMENTS

<u>Department</u>	<u>Liaison Assignments (lead bolded)</u>
Capital Improvement Planning Comm.	<b>Vasile</b> , Thomas, Freeman
Audit Committee	<b>Chlebek</b> , Mosesso
Personnel Wage Board	<b>Freeman</b> , Dring
Selectman, Administration	<b>Thomas</b> , Vasile, Papianou
Finance, Legal	<b>Vasile</b> , Chlebek, Hussain
Town Debt Service, Insurance	<b>Fisler</b> , Chlebek, Hussain
Conservation, Planning Board	<b>Dring</b> , Vasile, Calnan
Education	<b>Thomas</b> , Krockta
Police, Central Dispatch & Animal Control	<b>Fisler</b> , Papianou, Stern
Fire	<b>Stern</b> , Papianou, Fisler
Highway, Tree & Park	<b>Calnan</b> , Freeman, Krockta
Board of Health, Veterans, COA	<b>Freeman</b> , Dring, Hussain
Permanent Building Committee	<b>Mosesso</b> , Stern, Chlebek
Library, Recreation, Historical Comm.	<b>Papianou</b> , Stern, Dring
Water and Sewer	<b>Krockta</b> , Thomas, Calnan
Zoning	<b>Chlebek</b> , Hussain, Freeman, Mosesso

**SUMMARY OF TOWN WARRANT RECOMMENDATIONS  
ANNUAL TOWN MEETING**

<u>Article</u>	<u>Article</u>	<u>Recommendation</u>
Article 1	FY '15 Budget Adjustments	Approval
Article 2	DPW Administrative Offices	Approval
Article 3	Town Hall Plans	Approval
Article 4	Amend General By-Laws (Sign By-Law)	Approval
Article 5	Amend Zoning By-Laws (Accessory Apt.)	Approval
Article 6	Amend Zoning By-Laws (Fox. Overlay Dist.)	Approval
Article 7	Amend Zoning By-Laws (Building Height)	Approval

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

**VOTE OF 8-0-0**

The purpose of this article is to transfer funds for an additional police officer to the appropriate town accounts. The comprehensive funding for this officer, including salary, expenses and benefits (Pension/Retirement costs and Health/Life insurances), will be provided on an annual and ongoing basis by NPP (Patriot Place) per the agreement related to the Splitsville entertainment and liquor licenses. The comprehensive costs of the police officer will be assessed annually by both the Town and NPP to arrive at the required funding. The ongoing funding is not predicated on the continuing operations of Splitsville, but rather by any venue presently known as Patriot Place operating with any licensed operation.

The police officer will not be assigned exclusively to either Splitsville or Patriot Place but will allow the Police Chief flexibility to provide coverage throughout the Town based upon need.

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

**VOTE OF 8-0-0**

The DPW's proposal to move all Water Department staff and business from the Town Hall and DPW staff from the Highway Garage to a new modular building, to be constructed on the DPW grounds, was recommended for approval by the Advisory Committee for the November 2013 Special Town Meeting. The article was then pulled due to higher than expected/budgeted bids. Subsequent to those bids, plans have been redrawn. All non-personnel areas (largely storage) have been relocated to the basement decreasing the building footprint to 2,160 square feet, resulting in lower costs fitting into the proposed \$600,000 that has been budgeted.

Neither the existing Water & Sewer, in Town Hall nor the Highway/Tree & Park offices on Elm Street are adequate or effective as operational facilities. The W&S office does not have sufficient square footage to house staff, pertinent records or necessary equipment, let alone customer space for the citizens of the Town seeking assistance. The design for the future Town Hall does not include the DPW in its plans and to add them back in would far exceed the cost of the modular building.

A new DPW building will consolidate the current fractured DPW management structure in hopes of getting the best out of all existing departments. The placement of the W&S and Highway/Tree & Park clerical and management staff in one area will allow for cross training, better and more efficient use of staff.

The warrant article provides a mechanism to repay the Water and Sewer Enterprise for the town share of the building over time according to the schedule outlined in the Article. No additional funds are being requested for this building.

As an enterprise account, the Water & Sewer pays rent to the Town. Along with that, a commissioned space study concluded that a modular building would be the most cost efficient route to pursue. Modular Buildings are practical, the best cost alternative to the Town and have an approximate 40-year life span.

ARTICLE 3: TOWN HALL PLANS

Board of Selectman

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 3:**

**VOTE OF 9-1-0**

The purpose of this article is to transfer the necessary funds (approximately \$557,000) to pay for the soft costs associated with the construction of a new Town Hall to be constructed in the parking lot of the current Town Hall location at 40 South Street. Specifically, the soft costs include the hiring of architect/engineers/consultants for the purpose of preparing design plans and specifications, to include contract/bid documents, estimate of probable site work, demolition and construction.

A similar article was previously vetted by the Advisory Committee in preparation for the Special Town Meeting that took place last November. At that time, the AdCom recommended disapproval due to the size of the proposed new building, the resulting hard dollar costs associated with the proposed new building design, concerns regarding project ownership given the absence, at the time, of a permanent Town Manager and the perceived lack of citizen input gathered during the assessment process. However, even with disagreement as to how to deal with the deteriorating condition of the building, those involved agreed that something needed to be done soon to address the issue.

In preparation for this Special Town Meeting and in response to the current warrant article, the Advisory Committee once again vetted this topic. Following several presentations and lengthy discussions, the Committee concluded that the previous concerns had been adequately researched and addressed by the Town Hall Working Group which was established by the Town Manager, comprised of both town officials & Foxborough residents and fully vetted the main issues: new building versus rehabilitation of current building & location of new building.

- The new building size was reduced to 15,500 square feet.
- The reduction in building size will reduce the hard dollar costs for a new building.
- Project ownership will reside with Bill Keegan and the Permanent Building Committee.
- Town Hall Working Group
  - Established by the Town Manager
  - Fully vetted the main issues: new building versus rehabilitation of current building & location of new building
  - Comprised of both town officials and Foxborough residents

As a result, the Advisory Committee voted to recommend approval of this article.

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 4:****VOTE OF 8-0-0**

During the summer of 2013, the Board of Selectmen, in response to applications for Digital Billboards then before the Zoning Board of Appeals, created the Billboard Advisory Committee. This committee consisted of representatives from the Board of Selectmen, Town Finance Department, Planning Board, ZBA and the Town's Inspection Department. Originally, the goal of the committee was to amend the existing sign bylaw to regulate Electronic Billboards. After some work, the group realized that the existing sign by-law, which had not had any major adjustments since the mid 90's, needed to be completely overhauled. Problems with the existing sign by-law include it being very difficult to understand, overly complicated and ambiguous.

Working with a consultant, the group interviewed local business people, public officials and gathered public input via a survey that resulted in 142 responses. The goals of the new sign bylaw include the incorporation of new technologies, the creation of "sign districts", the equitable handling of all the land fronting Route 1, the incorporation of the needs of the local business community and, importantly, the creation of a by-law that is clear and comprehensible.

A major change from the existing by-law is the addition of 5 pages of clear and understandable definitions. The proposed sign by-law contains three separate sign districts: Sign District 1 consisting of the Route 1 corridor, Sign District 2 consisting of the majority of the town and Sign District 3 corresponding to the center of Foxboro (within a 1000 foot radius of the town center).

Generally speaking, District 1 is the least restrictive with respect to the types and sizes of signs allowed. Districts 2 and 3 are more restrictive than District 1 and differ from each other in the following ways:

- District 2 allows Electronic Signs while District 3 does not
- District 3 allows portable and projecting signs while District 2 does not

The first version of this proposed bylaw allowed Electronic Billboards in sign district 1, but after meeting with the Advisory Committee, the Billboard Advisory Committee decided to remove the allowance of Electronic Billboards from this version of the bylaw. In the future, Electronic Billboards will be considered as an amendment to this by-law.

Page 14 of the Special Town Meeting Warrant contains a table with detailed information about what is allowed in each sign district.

The ultimate goal of this by-law is summed up best in the text of the by-law itself:

“The purpose of this bylaw is to protect the public, health, safety and welfare by establishing reasonable and objective regulations for all signs and other advertising devices within the Town of Foxborough ...”

Members of the Advisory Committee commented that this bylaw seemed to be the result of a lot of excellent work, that it would level the playing field for small businesses and that the process allowed for considerable input from both citizens and business owners.

ARTICLE 5: AMEND ZONING BY-LAWS Planning Board

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 5: VOTE OF 8-0-0**

The purpose of this article is to amend section 11.1 of the Zoning By-Law by deleting the existing definition of Accessory Apartment and inserting a new definition that is more descriptive of what an Accessory Apartment is and applies to all districts in town.

ARTICLE 6: AMEND ZONING BY-LAWS Planning Board

**THE ADVISORY COMMITTEE RECOMENDS APPROVAL OF ARTICLE 6: VOTE OF 8-0-0**

The Foxborough Center Overlay District (FCOD) has been established as an overlay district at the heart of town to promote a walkable, mixed-use area that fulfills many of the community’s governmental, spiritual, service, residential and social needs. The purpose of this article is to amend the Zoning By-Laws to include the Foxborough Center Overlay District (FCOD) in section 2.2 and 2.3.1, and add the “Plan of the FCOD” map prepared by the Metropolitan Area Planning Council as Appendix C of the Zoning By-Laws.

ARTICLE 7: AMEND ZONING BY-LAWS Planning Board

**THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 7: VOTE OF 7-2-1**

The purpose of this article is to amend the definition of “height” in the zoning by-laws to better reflect the building code and present building practices.

Currently, the height of a building is measured from the basement floor to the top of a flat roof or the mean height between the top plate and the highest peak in a pitched roof. Under the new definition, the height will be determined by the distance from the median of the ground immediately adjoining the building to the top of the roof. In other words, height has been measured from the basement to the middle of the roof, and now it will be measured from the ground to the top of the roof. The basement is no longer a factor in the new calculation of height, and a basement is no longer to be considered a story.



The zoning by-laws state that a residential structure can be no more than 35 feet in height or 2.5 stories. Some members of the Advisory Committee expressed concern that the new definition of "height" could adversely affect new construction of houses with walk-out basements and low sloping ground. In many buildings, deducting the basement and adding the "other half" of the roof ends up around the same height. However, Building Commission Bill Casbarra estimates less than 1% of new construction would be "too tall" under the new definition, and he believes that adding some fill to change the slope of the land or changing the pitch of the roof slightly should get a "too tall" building below the maximum. Also, it should be noted that new construction of buildings with finished walk-out basements not meeting the new height requirement would not meet the current 2.5 story regulation.