

**Northern Middlesex Council of Governments**  
**40 Church Street, Suite 200**  
**Lowell, MA 01852**

**Minutes of Meeting: January 19, 2022**

The January 19, 2022 meeting of the Northern Middlesex Council of Governments was held virtually on the Zoom platform due to the COVID-19 pandemic. The meeting was called to order at 7:02 p.m. with Chair Andrew Deslaurier presiding. The following were in attendance:

Councilors

- Andrew Deslaurier, Chair, Billerica Board of Selectmen
- Chris Tribou, Billerica Planning Board
- Mary McBride, Billerica Alternate
- Pat Wojtas, Chelmsford Select Board
- Paul McDougall, Chelmsford Planning Board
- George Zaharoolis, Chelmsford Alternate
- Phil Thibault, Dracut Alternate
- Daniel Rourke, Lowell City Council
- Gerard Frechette, Lowell Planning Board
- Mark Mathews, Pepperell Select Board
- Chuck Walkovich, Pepperell Planning Board
- Stephen Themelis, Pepperell Alternate
- Jayne Wellman, Tewksbury Select Board
- Anita Tonakarn-Nguyen, Westford Select Board
- Jim Silva, Westford Alternate

Guest

- Michele Grenier, Tyngsborough Conservation Director

Staff

- Beverly Woods, Executive Director
- Justin Howard, Assistant Director / Transportation Program Manager
- Bert Almeida, Financial Officer
- David Righter, Environmental Planner
- Katrina Garavanian, Executive Assistant

## **I. EXECUTIVE DIRECTOR POSITION – UPDATE AND DISCUSSION**

Andrew Deslaurier provided an update to the Council announcing that David Fields resigned his position as Executive Director on January 9<sup>th</sup>. The Executive Director Search Committee then met on January 14<sup>th</sup> to discuss a possible path forward. Andrew informed the group that Beverly Woods will keep her retirement schedule and will work through the end of January. Next steps are complicated from a revenue perspective, as MassDOT contract billing prohibits funds to be paid to the Executive Director, which is an indirect payroll cost. This fact would inhibit Justin Howard from taking an interim Director position since his work is mainly funded through the MassDOT contract, which will skew NMCOG revenue and budgetary planning. The consideration is to empower him with rights of the Director as the Council searches for a new Director.

Andrew reminded the group that the original round of applicants and interviews had been exhausted from a qualifications standpoint. He stated the Committee believes the process itself was not flawed, but ultimately the selection of someone who was not committed to the role in the first place. The Council as a whole expressed disappointment and also the desire for Beverly Woods to be able to enjoy the retirement process unencumbered by concerns for the near future of NMCOG.

Following much discussion on how to attract qualified candidates, Dan Rourke made a motion to raise the Executive Director salary range to \$150,000 - \$175,000, commensurate with experience and to add “position open until filled” to the job description level. The motion was seconded by Chris Tribou. Final vote count of seven for, five against, the motion carried.

Pat Wojtas then made the motion to empower Justin Howard with responsibilities of the Director while the search for a new Director is underway. Jim Silva seconded the motion and the Council voted unanimously in favor of the motion.

## **II. MINUTES OF MEETING: DECEMBER 15, 2021**

The minutes of the December 15, 2021 meeting were distributed to all Councilors for review. Based on a motion made by Jayne Wellman and seconded by Steve Themelis, the Council voted to approve the minutes of the December 15, 2021 meeting as presented. Chris Tribou, Paul McDougall and Jim Silva abstained as they were not present at the December meeting.

## **III. EXECUTIVE DIRECTOR’S REPORT**

The Executive Director’s Report was previously distributed to the Councilors for review. The report is included as Attachment #2.

#### **IV. FINANCIAL REPORT AND WARRANT**

Bert Almeida presented the Financial Report and the Warrant for review and approval. Based on a motion made by Jerry Frechette and seconded by Jayne Wellman, the Financial Report and Warrant were approved pending an amendment of date from 2021 to 2022 on “Payroll and Taxes through February 16, 2021”. The Financial Report is included as Attachment #3.

#### **V. OLD BUSINESS**

##### **1. DEVELOPMENT PROCESSES FOR THE FY 2023-2027 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND THE FY 2023 UNIFIED PLANNING WORK PROGRAM (UPWP)**

Justin Howard reminded the Council that this is the time of year when NMCOG begins work on the development of the Unified Planning Work Program (UPWP) and the Transportation Improvement Program (TIP). Each year, MassDOT provides the MPOs with financial targets for both of the documents, as each must be financially constrained in order to receive federal approval. MassDOT will provide these funding targets at the January 26<sup>th</sup> NMMPO meeting. At that meeting, the MPO will be closing out FFY 2021, discussing the obligation of projects, voting on amendments to FFY 2022 TIP projects, and talking about the next version of the TIP (FY 2023-2027). The MPO will also be discussing the FY 2023 UPWP at the January meeting. Justin reviewed the process for developing these documents and provided a preliminary schedule of activities in the meeting packet.

##### **2. OTHER OLD BUSINESS**

There was none.

#### **VI. NEW BUSINESS**

##### **1. COMMUNITY REPORTS**

Steve Themelis informed the Council that the Town of Pepperell received a \$60,000 DHCD grant to conduct a study for a mixed use overlay district on Main Street from Railroad Square to Town Hall. The Town has created a working group of small business owners, residents and town officials who would like to be involved in the planning stages. The group met with consultant Ted Brovitz, a community development planner, at a kick-off meeting last week for the start of this six-month study.

Andrew Deslaurier updated the Council that Billerica has a new Chief of Police, Roy Frost, as well as a newly promoted Deputy Chief, Gerald Roche.

## **2. PROJECT REFERRALS**

David Righter informed the Council that there is currently one project under MEPA review within the region. Toll Brothers proposes to build a 100-unit adult community, known as the Enclave at Tyngsborough, on the former Tyngsborough Country Club site. The Proponent intends to donate 31.98 acres to the Town as open space and another 2 acres for development of 16 affordable housing units. This project triggers MEPA review for the direct alteration of 25 or more acres of land, creation of 5 or more acres of impervious area, alteration of ½ acre or more of riverfront area, and the construction of 300 or more new parking spaces at a single location. The MEPA table was included in the meeting packet, along with a copy of the staff comment letter for approval.

Based on a motion by Jim Silva and seconded by Paul McDougall, the Council voted to approve the comment letter as presented.

## **3. PROPOSED MULTI-FAMILY ZONING REGULATIONS FOR MBTA COMMUNITIES**

Beverly Woods reminded the Council that, as discussed in the December Council meeting meeting, in January 2021 the legislature approved an Economic Development Bill that created a new Section 3A of M.G.L. c. 40A (the Zoning Act), requiring that an MBTA community have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and that the district meet the following criteria:

- Minimum gross density of 15 units per acre
- Not more than ½ mile from a commuter rail station, subway station, ferry terminal or bus station, if applicable
- No age restrictions
- Suitable for families with children

An MBTA community that fails to comply with this section will not be eligible for funds from: (i) the Housing Choice Initiative; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

Two handouts were included in the meeting packet: one that summarized the proposed guidelines put forth by EOHEd for complying with this requirement and another summarizing the actions that communities must take during the 2022 calendar year. Beverly provided a link to an informative webinar: <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta->

[communities?auHash=H6C2Re7HQiBiIYWceg3B2ApnZHjOrLEUXqR683gja34#webinar-](#) . She stated that in addition, EOHED has requested to make a presentation to our communities on the draft guidelines. Justin Howard is canvassing NMCOG community planners and development directors to determine the best date and time to schedule the session. The deadline for comments on the draft guidelines is March 31<sup>st</sup>.

**4. OTHER NEW BUSINESS**

There was none.

**VII. ANNOUNCEMENTS**

There were none.

**VIII. ADJOURNMENT**

Following a motion made by Chris Tribou and seconded by Jerry Frechette, the Council voted unanimously to adjourn the meeting at 8:30 pm.

**CLERK'S CERTIFICATE**

I certify that this is a true copy of the Minutes of the meeting of January 19, 2022.

Attest:



A handwritten signature in cursive script, appearing to read "Stephen Themelis", is written over a horizontal line.

Stephen Themelis, Clerk