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

Minutes of Meeting: May 15, 2019

The May 15, 2019 meeting was held at the Northern Middlesex Council of Governments office, 40 Church Street, Lowell, Massachusetts. The meeting was called to order at 7:00 p.m. with Chair Pat Wojtas presiding. The following were in attendance, as indicated in Attachment #1:

Councilors

- Christopher Tribou, Billerica Planning Board
- Mary McBride, Billerica Alternate
- Pat Wojtas, Chair, Chelmsford Board of Selectmen
- Philippe Thibault, Dracut Alternate
- Jerry Frechette, Lowell Planning Board
- Chuck Walkovich, Pepperell Planning Board
- Stephen Themelis, Pepperell Alternate
- Darrin Wizst, Westford Planning Board

Staff

- Beverly Woods, Executive Director
- Jay Donovan, Assistant Director
- Carmen Bellerose, Financial Officer
- Katrina Garavanian, Executive Assistant
- Justin Howard, Transportation Program Manager

I. Presentation: Recycling and Solid Waste

John Hite, Zero Waste Policy Analyst for the Conservation Law Foundation, gave a brief presentation about the work that his organization is performing to help communities find alternative ways to address the latest solid waste crisis – the collapsing recycling industry. He thanked the Council for their time and provided contact details, encouraging community members to reach out to him directly for more information and assistance. He encouraged communities to adopt a resolution supporting producer responsibility, and provided a brief overview of legislation that has been filed this year relative to electronics, paint and packaging. He is also available to provide a similar presentation for Boards of Selectmen or the City Council.
II. Minutes of Meeting: April 17, 2019

The minutes were distributed to all Councilors for review. Based on a motion made by Steve Themelis and seconded by Mary McBride, the Council voted to approve the minutes of the April 17, 2019 meeting. Chris Tribou abstained as he was not present at the April meeting.

III. Executive Director’s Report

The Executive Director’s Report was previously distributed to the Councilors for review. Upon a motion made by Phil Thibault and seconded by Darrin Wizst, the Council voted unanimously to accept the Executive Director’s Report as presented. The report is included as Attachment #2.

IV. Financial Report and Warrant

Carmen Bellerose presented the Financial Report and the Warrant for review and signature. Based on a motion made by Steve Themelis and seconded by Jerry Frechette, the Financial Report and Warrant were unanimously approved. The Financial Report is included as Attachment #3.

V. Old Business

1. Proposed FY 2019-2023 Transportation Improvement Program (TIP) Amendment

Justin Howard informed the Council that the NMMPO will meet on May 22nd to vote on the endorsement Amendment #3 to the FY2019 TIP. The amendment will increase funding for intersection improvements at Route 129 and Riverneck Road in Chelmsford, and for intersection improvements at Main Street, Salem Road and South Street in Tewksbury. At the request of Federal Highway Administration, the TIP amendment will also incorporate additional narrative relative to performance measures and targets to comply with federal guidance. Justin requested that the Council authorize the Chair to vote in favor of endorsement at the May 22nd NMMPO meeting.

Based on a motion made by Steve Themelis and seconded by Chris Tribou, the Council voted unanimously to authorize the Chair to vote in favor of endorsing the proposed FY 2019-2023 TIP Amendment at the May 22nd meeting.

2. Draft FY 2020-2024 TIP

Justin Howard informed the Council that the NMMPO will vote on endorsement of the FY 2020-2024 TIP at its May 22nd meeting. He included in the meeting packet a list of projects proposed for programming and reviewed that list with the Council.
Based on a motion made by Jerry Frechette, and seconded by Phil Thibault, the Council voted unanimously to authorize the Chair to vote in favor of endorsing the FY 2020-2024 TIP at the May 22nd NMMPO meeting.

3. **Draft FY 2020 Unified Planning Work Program (UPWP)**

Justin Howard reviewed a listing of proposed work tasks and associated budgets for the draft FY2020 UPWP. He requested the Council authorize the Chair to vote at the May 22nd NMMPO meeting in favor of releasing the draft document for public review.

Based on a motion by Jerry Frechette, and seconded by Darrin Wizst, the Council voted unanimously to authorize the Chair to vote to release the draft FY 2020 Unified Planning Work Program for public review and comment.

4. **Update on the Regional Transportation Plan**

Justin Howard provided an update on the development of the Regional Transportation Plan, explaining project recommendations year by year and associated funding source details.

5. **Merrimack River Cleanup Request**

Beverly Woods updated the Council on a recent conversation with the Executive Director of the Merrimack Valley Planning Commission regarding the request to undertake a major clean up along the River using funds provided by the local communities. Obstacles surrounding the cleanup including potential hazards to volunteers, insurance liabilities, etc., which create difficulties in organizing such a program. Beverly stated that there are other initiatives underway to help address some of the water quality issues along the Merrimack, such as a conference that is being planned for communities and other stakeholders. She added that the Merrimack Conservation Partnership met at NMCOG this week to talk about issues related to the river. Beverly stated there are the organization’s transaction grant application will be available later this summer and she will send the information to the Council when it is released.

The Council viewed a trailer for a film about the Merrimack River, being produced by the Society for the Protection of New Hampshire Forests. The group is currently raising funds to complete the project and is hoping to release the film this fall.

6. **Other Old Business**

There was none.

VI. **New Business**

1. **Community Reports**

Mary McBride informed the Council that Billerica passed a plastic bag ban this week.
2. Project Referrals

Beverly Woods stated that currently there are five projects in the region under MEPA review:

- The Final Environmental Impact Report for the Lowell Area Gas Modernization Project;
- The Environmental Notification Form (ENF) for the River Road Well project in Tyngsborough;
- The ENF for the installation of 11,246 kW ground mounted solar modules and energy storage in Dunstable;
- The ENF for the Bemis Road Water Treatment Plant in Pepperell; and
- The ENF for the Main Street Well Station and Access Road upgrades, Town of Dunstable Water Department

A copy of the MEPA table was included in the Council packet. No Council action is required at this time.

3. Proposed Housing Choice Legislation

A discussion was held during the April Council meeting regarding legislation filed by Governor Baker in February that would allow communities to approve zoning changes by simple majority vote for certain types of development, including the following:

- Building mixed-use, multi-family, and starter homes, and adopting 40R “Smart Growth” zoning in town centers and near transit;
- Allowing the development of accessory dwelling units, or “in-law” apartments;
- Approving Smart Growth or Starter Homes districts that put housing near existing activity centers;
- Granting increased density through a special permit process;
- Allowing for the transfer of development rights and enacting natural resource protection zoning;
- Reducing parking requirements and dimensional requirements, such as minimum lot sizes;
- The Joint Committee on Housing added a provision that would reduce the voting threshold for a special permit to a simple majority for certain multi-family or mixed-use projects with at least 10% affordable units in locations near transit or, in centers of commercial activity within a municipality.

Included in the Council packet were copies of the proposed legislation, a summary of the bill, and an article regarding the housing discussion on Beacon Hill.

Jerry Frechette expressed his concerns relative to the proposed elimination of the 2/3 voting majority now required to enact zoning changes. Beverly Woods will contact Chris Kluchman,
Housing Choice Program Director for the Commonwealth, and invite her to attend a future meeting to talk about the proposed legislation.

4. **House Bill 48 Update**

Beverly Woods provided an update on House Bill 48. She will advise the Council at future meetings should there be an additional update.

5. **Report of the Personnel Committee: Environmental Planner Hiring Recommendation**

Jerry Frechette informed the Council that the Personnel Committee had met with the three finalists for NMCOG’s Environmental Planner position. The Committee recommended the hiring of Alicia Geilen, and her resume was included in the meeting packet for Council review.

Based on a motion by Steve Themelis, seconded by Mary McBride, the Council voted unanimously to extend an offer of employment to Alicia Geilen.

6. **DLTA XIII Funding Status Update**

Beverly Woods updated the Council that the DLTA XIII program was included in the Governor’s budget at $2.8 million and in the House budget at $3 million. However, it was not included in the Senate budget, as has been the case in the past. Senator Eldridge is filing an amendment to include the program at $3.4 million. NMCOG has asked our senators to sign on to the amendment.

7. **Other New Business**

There was none.

VII. **Announcements**

There were none.

VIII. **Adjournment**

Following a motion made by Steve Themelis and seconded by Mary McBride, the Council voted unanimously to adjourn the meeting at 8:40 p.m.
CLERK’S CERTIFICATE

I certify that this is a true copy of the Minutes of the meeting of May 15, 2019.

Attest: ________________________________

Stephen Themelis, Clerk