

**Tuesday, August 17, 2021**  
**Board of Selectmen Meeting Minutes**  
**Gala Room, Town Hall**  
**7:00 p.m.**

**Members Present:** Leah Gibson, Chair  
Stephanie McGowan, Vice Chair  
Seth Ferguson, Clerk  
Ed O'Leary  
Mark Elfman

**Also Present:**  
William Keegan Jr., Town Manager  
Mike Johns, Assistant Town Manager  
Christina Metcalf, Community Info. Specialist  
Katie Lang, Exec. Assistant\*  
\*Attended remotely

1. 7:00pm - Citizen's Input – No input

2. 7:05pm - New Chief Assessor Introduction - Chief Assessor Thomas Welch

TW –I've been here for about a week. I previously worked in Swansea and was their first full-time Assessor. I worked to implement new inspection programs. I worked in Hopkinton and Wrentham prior to that and obtained my Massachusetts Accredited Assessor certification during my time in Hopkinton. I'm familiar with the software that is being used here and Hanne has been great in getting me up to speed.

ME – How long is the overlap between you and Hanne?

TW – Two weeks of overlap and we are working getting ready to set the tax rate.

3. 7:10pm Public Event Application - Rodman for Kids – Marisa Collins

MC – The ride has been around since 1991 and will be September 25<sup>th</sup>. We will be scaling it back to 500 people. This year will only be a 25 and 50 mile ride, no 100 mile ride. We'll be picking up the beer the night before with a refrigerator truck and then placed into coolers on the day of the event. All servers will have masks and gloves.

LG – Just so you know you will need to have a license for two days if the beer will be onsite the night before.

MC – I'm not sure but I believed I applied for both.

KL – Marissa is correct, she applied and paid for both days.

MC – We'll have

LG – Everyone is TIPS certified

MC – I'm not sure, they are all volunteers

ME – Are you checking IDs or do you have wrist bracelets to identify those who are 21.

MC – I'm not sure how they have done it in the past. I can come back to a next meeting with more information about the serving of the alcohol.

KL – Everyone signed off on the public events application that is in Board Docs, nobody has any concerns.

LG – If you can come back with a plan on the alcohol serving that would be great. I see the Chief outside the room maybe he can help?

Chief Mike Grace – The Rodman Ride is one of the best charities in town, is top notch and I'm happy to work with them on whatever issues and give the Board the confidence that this event will work.

3.1 Discussion and vote to approve the Public Event Application for the Rodman for Kids event on September 25, 2021

**Motion to approve the Public Event Application for the Rodman for Kids event on September 25th 2021 by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

Subject 3.2 Discussion and vote to approve a 1-Day Beer and Wine License for Rodman for Kids event on September 25, 2021 – Will return on August 31<sup>st</sup> with a more detailed plan on how the alcohol is served to receive two 1-Day Beer and Wine License.

4. 7:15pm Shovel Town - 30 1-Day All Alcohol License – Jim McSherry\*

JM – It has been very successful and have put together another 30 1-day licenses. The Matt Light Foundation reached out and wanted to do a fundraiser on October 3<sup>rd</sup> to extend the time to do a fundraiser for the Matt Light foundation.

LG – Can you tell us about the new manager, Connell Kelly?

JM – Connell is our executive chef, he's been with us for 2 years, a general manager and is on location 95% of the time.

LG – The difference is they want a later time to close for this event on October 3<sup>rd</sup>. And we'll see you for your final 6 licenses on September 28<sup>th</sup>.

**Motion to approve Thirty (30) 1-Day Beer and Wine Licenses for September 4th-6th, 9th-12th, 16th-19th, 23rd-26th and 30th, October 1st-3rd, 7th-11th, 14th-17th, 21st and 22nd along with the request to open from 12:00pm to 11:00pm on Sunday, October 3rd for a Matt Light Foundation event for Shovel Town Brewery, Inc. d/b/a A Taste of Foxborough by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

5. 7:25pm Block Party Application – Action item not agenda item

6. 7:30 pm Patriot Place - Outdoor Open Container Proposal Presented by Brian Earley -Vice President NPP Development LLC/Patriot Place, Joe Parr – Senior Director of Security, Gillette Stadium, Brian Deck – Director of Security, Team Ops and Patriot Place, Stephen V. Miller, Esq. – McDermott, Quilty & Miller, LLP

Steven Miller – We came here to discuss an idea to have two outdoor areas providing additional space for restaurants to have patrons consume food and alcoholic beverages.

BE –We're going to talk about today is called in the industry across the country will call her called or with DORA, the acronym for a designated outdoor refreshment area. There are 24 permanent DORA districts in the United States, such as Tampa Florida, Nashville Tennessee, Savannah Georgia that were in place before Covid a couple have come in during Covid. I am here to get your support. The proposed DORA area would be in two designated areas in the north marketplace around at Patriot Place and you can see in this map one will go from The Bar Louie/stage area all the way down to the top of the grand stairs heading down to the stadium. The second DORA would be the plaza area in front of the Renaissance Garden Hilton Garden Inn hotels around near Saga restaurant in just south of Six String restaurant. We think Patriot Place is uniquely positioned to provide this amenity to our guests as we have on-site 24-hour security personnel along with state-of-the-art security video monitoring systems throughout the property. We will have Patriot Place security monitoring the door locations at all times during operations. We will provide additional staffing to be there with extra patrols during the periods from 5:30 p.m. to 9:30 p.m., Monday through Friday and from 1:30 p.m. to 9:30 p.m. Saturday and Sunday. The hours of operations

for the DORA areas will be noon to 9:30 p.m. daily. We have standard mobile foot patrol throughout the north Marketplace at all operating times of the center, including those hours we do not have extra patrols on hand. Consumption of alcohol not purchased from a Patriot Place licensee would not be permitted at any time and consumption of alcohol beverages in any other areas of Patriot Place property will continue to be prohibited. I can go through the details of the protocol for the licensee serving under the current take-out regulations that the State currently allows. Most importantly they take-out alcohol beverage must be accompanied by food item. We're looking for this to be a full restaurant experience not just purchasing of alcohol. We will have Team Ops security personnel monitoring the DORA areas at all times of operation weather on video, foot patrol officers, in in 24 hours a day but also additional staffing during what we believe would be heavier periods, from 5:30 to 9:30pm. Foot patrol officers will be monitoring to ensure guest do not leave the DORAs with open containers and for any issues with guest behavior including underage consumption. Standard protocols for dealing with guest behavior will be in place and be enforces at all times. All personnel will be teams trained on safe alcohol service and working with Chief Grace and FPD with details as needed. We have signage planned an examples for our guests to tell our guests what is expected of them in the DORA zone and the limits of the DORA zones. It is a unique opportunity that we can do this between now and May and our operation handles larger operations outside with our full stadium events. We have video camera capabilities and can monitor consumption and can do reconnaissance if a violation or situation occurs. I can take questions now. We are looking for your support. We would never do something like this without the support of this Board and public safety. This will be a model for the state of Massachusetts so we consider this a very high profile opportunity for Foxborough.

ME – Do your security have uniforms? And will this be allowed during events and games.

JP – Yes, they are identified in orange polo shirt.

BE – The zones will be open 12:30pm to 9:30pm daily. Like we do for anything at Patriot Place and Gillette Stadium we will monitor and probably make decisions as we see fit depending on the situation. We will determine from a safety profile if it make sense to continue this.

ME – You don't think added traffic of a game day with 68,000 people or concert event wouldn't make it more difficult to monitor?

BE – With the increased number of security personnel on hand for this first time if this is allowed, we'll see how it flows. All security would be briefed that this is in place. If Joe Parr and Brian Deck tell me with a concert coming up that it wouldn't be the right event to have the DORAs be active, then I would support that.

S. McGowan – Would you have tables or stands set up for people to enjoy their food and beverages.

BE – We have seating now and we would add seating as well. We would add to what we have in DORA 1 as well as DORA zone 2.

S. McGowan – Is there a protocol in place to prevent alcohol from going into the stadium?

BE – Any takeout alcohol today has to be in a sealed container. Tavolino is not in either DORA zone. Nothing can leave the DORA zone. We currently don't allow consumption outside in the common areas. We don't allow any alcohol from outside. We are doing this to support restaurants who are trying to recover. We've never allowed alcohol to be brought in from outside.

S. McGowan – How do you monitor for guests bringing in outside alcohol?

BE – Security will be looking for and are trained to spot that. If there was a question if it was brought in or not there would have to provide a receipt to prove where they bought it.

S. McGowan – It's nice to see that you're doing all you can to help the restaurants.

BE- Our goal is to getting back to providing all the amenities that were provided and patrons are accustomed to getting at Patriot Place.

EO – Have you had any opportunity to speak with the Chief on this project?

BE – Yes, the Chief has been involved on several conversations and we’ve had legal reviews as well.

MG – This isn’t the first time that I’ve seen this and I’ve been working with this team for a bit. With Covid we are trying to get people outdoors. The team that has been put together to present this have gone back and forth on some of the details. We have an ongoing security plan for Patriot Place, we’ve modified it and moving forward we have a plan as to how the police will play a role in this. Based on our statistics, we don’t get the calls for barrooms until 9:30pm and this will end before that starts and the demographics are different. This is also a seasonal plan and what we do in September and what we do in February will be very different. At our weekly Gillette event meeting we can make modifications as necessary. I want to reassure the Board the dialogue with Gillette and Brian Early is ongoing.

MK – We review every alternative plan, we review for access and egress and we are very comfortable with the plan.

MG – We may have to some modification to our liquor regulations, number 26 and 27. As we’ve worked with Patriot Place over the years we’ve been able to get all the information from them as well as their restaurants and they have been forthcoming with any information.

BK – With the respect to the liquor regulations and the statute allows for this right now.

S. Miller –The Covid regulation allows for this without modification of the liquor statutes. This expires May 1<sup>st</sup> 2022.

LG – We wouldn’t need to make a formal change until the Covid regulations expires.

BE – Correct, we would start immediately, monitor to make sure it provides the benefit to the restaurant we’re expecting it to provide. We would request to have the town change the liquor regulation if the state does not extend the current statute under Covid. If this is proof in concept and we all agree it’s working, we would come back to request that.

BK – Has there been any conversation at the state level to look at this?

BE – There has been conversation and some retail liquor stores are not in favor of this. You’re going to pay more for alcohol from a restaurant than a retailer. If we get the ear of the governor and say that is a model that you could take and not legislate across the board, but as I understand, have the town make that change.

S. Miller – I know the Mass Restaurant Association to extend it further or make it permanent.

BK – This strikes me as a Pilot program, in many ways.

BE - This has the scale that doesn’t exist anywhere in Massachusetts.

SF – If someone gets a beverage from Scorpion bar, they can walk down to the DORA and enjoy it there?

BE – Yes, once purchased for take-out, it cannot go back in to the premise it was sold at. We are looking to control the areas that people want to be, i.e. near the stage in DORA zone 1.

SE – Zone 1 is already bustling and expansive, Zone 2 is a bit smaller and quiet.

BE - We would now be able to activate that area to have something else and create another focal point like another stage or performance area. Adding that stage changed that area.

LG – Do you have an education campaign for the restaurants to educate consumers?

BE – I didn't get into that level but there will be getting a packet. The restaurants don't know where are doing this. We are going to have a very comprehensive program and figure out how to get them to sealed containers and there will be information at all restaurants to explain the program to all our guests. I think the restaurants will adapt to this very easily, their livelihood is on the line and they wouldn't risk their liquor license. They will adhere to the program as established.

SF – I have been down to Savannah several times and have noticed no issues when vising and it seems to work well down there. In many of them go well beyond 9:30pm but we don't see the need for that right now.

ME –I think stopping it at 9:30pm is great awareness. When do you want to start?

BE – Signage would be created tomorrow and then would be meeting with the restaurants individually but you could see it next weekend.

LG – Having Tavolinos and Tom Perunna with Fox Cares is great to have there. Have you had any issues with getting staff for security?

BE – For the restaurants it's still a challenge. I would refer to Joe Parr for the security staffing.

Joe Parr – With the two to 3 person increase it won't be too much of burden to find staff. This will create a more regular shifts for people and get them more hours.

LG – With the first game around the corner, we'd like to see some preseason games under your belts before the season opener.

BE – I want to make sure that we have options with the Covid variant in play now.

LG – We don't have to take a vote and more informative than anything.

Bruce Bowden – If someone violates the rules – are they arrested, banned, not allowed to come back?

BE – It would be no different from our past protocols, if rose to the level of prosecution we would do that, we would also do a letter of disinvite. We have a number of steps that we would utilize for those types of situations.

LG – It's a good time to have some new business opportunities.

BE – We appreciate the support.

7:50pm 119 Morse Street Realty Trust/Foxstar Corp -Morse Street Condominiums/40B Local Initiative Program  
2nd Informational Session regarding a proposed 40B Local Initiative Program Application for Comprehensive Permit Project

Mike Saegh, Bill Casbarra, and Planning Director Paige Duncan\*

LG- This is our 2<sup>nd</sup> information session it is not a public hearing. We tasked Paige with getting opinion and concerns from department heads. She produced a very comprehensive and great report. This is found on the Town's website front page, so anyone access this. I've asked Paige to give a little bit of an overview of what she found through talking to all the departments heads. Before that, I also want to go over what our (Board's) role is because this Local Initiative Program is new. I don't think we're looking to rush anything through or make a decision tonight. I think we'll come away today with more questions and will have to do a little bit more research on this. The Board of Selectmen (BOS) is being asked to sponsor and support the proposed development at 119 Morse Street. Our role here is the Board of Selectmen is to look at a couple of things; does the proposed development meet the needs for the town for diversified housing stock in Foxboro? Is the proposed development an appropriate

residential use of the site in which is to be developed? Is 119 Moore Street a good place for a project? Is the conceptual design appropriate for the site taking into account the site itself, the location of the site the surrounding neighborhood, and the surrounding environment? Lastly does the proposed development presented issues regarding public health and safety, traffic, open space concerns, environment, and its impact on the surrounding area of the site? So we're really looking at all those things is there a benefit to the town for the Board of Selectmen to sign on to have this go forth as a friendly 40B project. We're over the 10% required by 40B, so this would be something that we would be allowing. It's something that is a little bit different because it is an ownership project. A lot of times when you hear 40B you think of apartments that are rentals but this is an ownership project. Other comparable projects in town (Paige correct me if I'm wrong) would be The Lodge and Nadia Estates.

SF - How many units in Nadia Estates?

PD – 36

LG - Okay so from what I understand, I want to make sure that this is very clear tonight, our role here is to see if we want to support the project in moving forward. It is not to look at how many units, it's not to look at specifics. That will be done by the Zoning Board of Appeals (ZBA). My thought is if we move forward as we are not stamping the number of units or buildings or what we want. We are saying if this moves forward, that we think there's a need for this but this has to be looked at by the ZBA and this is the right project for the site. The role of our Board is, is a project like this I needed and is it a positive thing for the town on this site and for our citizens. I'll have Paige present her report and also talk about the Planning Board letter. We also have letters from residents and neighbors who have objections, concerns and questions along with a letter Rep. Jay Barrows and Sen. Feeney in support of this project. After Paige's presentation, we'll allow for public comment but please keep in mind if you have sent in a letter we have the letters and comments and please keep the comments brief. I would also would like to see the site as well to be able to visualize it.

Bill Casbarra – We would be happy to schedule a site visit.

PD – At the request of the BOS we had a staff meeting with department heads regarding this project. We had a presentation from Bill Buckley to this group. The letter on the website is long and we recommend that everyone read this report. These comments are in the weeds and the Zoning Board of Appeals (ZBA) would be taking care of some of these items. You are in good hands with the ZBA. Board of Health has no concern since the site is on sewer and if dumpsters are used they are away from the building. From Police, there was a concern with respect to public access. The DPW has said this would be a private road but it would need to be determined if there would be public access and signage either way to let residents know. Also needs to be clear if it is ownership if rentals would be allowed or not and most likely would be a private matter with the homeowner's association. Fire Department wants more info on the bridge and support looping of the water line. Conservation Commission concerns were that it is near a conservation area and is a constrained site. A positive would be that having people nearby would create possible stewards to prevent or limit ATV use in the area. Noted that site had been previously permitted and was able to meet and overcome all the requirements for the environmental challenges. Water Department is asking for a loop for the waterline. DPW wants the stormwater bylaw to be met as well as the subdivision by law should also be met. There is a concern about the sewer main down the street and capacity. There is concern about the size of the bridge and that it is not wide enough for two vehicles to pass. It is recommended that the road remain private and not eligible for town services. Traffic was not considered a concern. Planning discussed technical items, in particular ensuring that the units remain affordable in perpetuity. The Town can look at different ratios of affordability. I did go into resident comments and they are seeking a sidewalk.

LG – Do the benefits to the Town outweigh the drawbacks that we have heard? This wouldn't stamp the 59 units but would approve the conceptual Local Initiative Project (LIP).

Bill Casbarra – If the BOS support this, it's not an approval of the project, it tells the state that the BOS supports it.

LG – The ZBA would make sure that it would meet statutory regulations for affordable housing. This would be about a 6 months process with the ZBA and would allow for input and further discussion.

SM – It's hard for me to get behind this when we have no input to the process. I don't support this. I don't think this is good for the town and these are the reasons why. I asked a little bit about 40B and friendly 40Bs with someone that works very intensively with them he told me I would fight for any 40B in a town but this is where we are in Foxboro. We've met are over 10% and I've heard Paige mentions housing crisis, I don't feel like it's the Town of Foxborough's responsibility to take care of the housing crisis. There is no guarantee that we're taking care of anybody in Foxborough. So we're going to do all this and you know they're surrounding towns that should step up as Foxborough worked very hard to get to that 10% level. That being said what happens is the impact on adding such high density on such a small piece of property, everybody else in town picks up your taxes paid for services. I'm not saying this one this one project is going to throw us over the top, but we have a lot of projects coming down the line. When we find out that maybe I need to have a couple more policemen on duty. We have other developments coming and so when these services need to be increased, it ends up being everybody else in town it's your taxes that we pay for that because the affordable ones don't pay the same tax rate. I've try to find out a little bit more how this works.

LG – Is that true Paige? They are assessed and paid at the same residential rate? And remember these are not rental units, so while I believe that's true for like the Walnut Street project.

SM – I was told they pay taxes but not the same.

LG – They pay the same tax rate but it is assessed at a lower value.

SM – The home will be assessed at a lower amount because it's affordable

SF – Why would that be? If it's the same as unit next to it that's not affordable would the assessment be different if they are exactly the same except one's affordable and one's not.

BK - It's based on how the property was sold. If it's considered to be permanently limited value property based on the way that the proposed development has been put to put together, the answer is yes it would be limited in perpetuity.

SM - Here's the thing I don't have any problem with the ZBA going through the standard process and if they okay it but I feel like we're changing the zoning bylaw. There's a reason why we have is zoning bylaw in town and was voted on by people. Mike, you made an investment in this property and assuming you knew that you could put two or three houses on there. I don't know exactly I would have been on there but certainly not 52 units. We've met our quota and this is not saying it's going to take care of our housing. We have no say who buys the units, so you're asking the people who live in town pay taxes to pick up the difference. We've met where we need to be [40B requirements] so the more we go above that is going to be a strain on everybody else. We're supposed to be working for the taxpayers in our town. We're being asked to get behind something and support it, I'm sorry I don't support it. I think this is a build a friendly project and it looks to me like you're going to make a hefty sum. I don't begrudge you for that but the rest of the town is going to pay for that in taxes and services not just by your project by all the projects that are that are coming up. I don't think it's good for the town because we're not taking care of the town. The Planning Board gave us a letter but it didn't seem that they were excited about the project at their meeting or in their letter of support.

LG - I just want to point out one thing that I was opening for me. As I've had some of these conversations, something that like you about the tax rate. I didn't know that all The Lodge and the Avalon apartments, affordable and market rate go toward our count for affordable housing numbers.

PD – The 40B loophole is that in rental projects all the units count toward the inventory whether affordable or not. We have 498 of the town's 878 affordable units are in the Lodge and Sylvan and only 125 are affordable and the rest are market rate. On ownership projects only the affordable units go towards the inventory.

SM – If you told me that we could create affordable housing for residents in town. With this there is no guarantee that anyone from the town will live in this development.

LG – There is the local preference in the documentation.

MS – There is a local preference that town people get first preference. The units in the project qualifies people making \$60k - \$90k a year. To address your other comment, I had this permitted by the Planning Board in 2008 for 33 units for office and warehouses. I could build warehouses but I thought the best thing for the town because of the housing shortage now, would be housing. Also, with some of the reduced taxes on the affordable units, there is still over \$300k-\$350k a year to the town. It is not the other tax payers in town paying for these things, it's the people that live there and that's a big difference. The people pay their fair share of taxes.

SM – I was told the tax money that comes in will never cover what it will do to your town services.

LG – We don't know that this will look like and that is a very broad brush statement to say, when we don't even know how many would be affordable or not. I worry about stating things like that as fact when we don't know what this will look like.

SM – We could have families with 2-3 kids. What would do the schools?

LG – We can't talk about that.

SM – If they move in, we'll have to build another elementary school. You don't know who will be there. I was told there was an equation you could use or generally what the market would be. All I'm saying is, it is a lot of homes for a small piece of land with lots of other projects going on. For me as it stands is too much. Also if the tax rate is higher for commercial than it is residential. Could please tell me about the local preference?

PD – ZBA can require/request up to 70% of the units to be reserved for Town residents, employees and teachers at the first initial offering.

SM – I've been told that there are things that wouldn't allow the ZBA to approve this. What I've been told it's things like you know if you if you're landlocked, if you have something with the soil, or maybe the piece of property says you should put it here and then I say okay you've got a ledge there will let you put it here. I'm not sure but I don't think that it should be here.

LG – I want to be cautious before we get started that we don't say things as fact that we don't know if we can do.

BC – What the board can do is make recommendation and conditions based on what the department have said. They can make recommendations or conditions when they submit their applications. If they decide to make reasonable, otherwise the developer might not be submit the application under the LIP and go a different direction. This type of program is negotiable. The Chairman of the ZBA, doesn't believe in a friendly 40B. The town has all the leverage because we've reached the 10% required so it becomes a negotiation. We want to make this work for the town and developer and everyone walks away happy. We want to have the affordable rate be between \$275-\$300k is our goal. If you support it you can condition it and make those recommendations. You can make those conditions written into the ZBA comprehensive permit application. The conditions as a part of the comprehensive permit, so that they will be enforceable. When I was commissioner have had 7 comprehensive permits, this LIP is a negotiable one.

ME – Where in the process do we put conditions?



BC - It would be in this process. If you send a letter of DCHD, that's where you put in your conditions.

LG – From what I understand it would be vague conditions?

BC – On the last page of the staff report Paige made recommendations on things that you can consider.

MS – This would go to the state and then it would go to ZBA to get into the details.

ME – We have a housing crunch in Massachusetts, I don't think that Foxborough can solve it but we should try to provide some housing. We've got a town's person who and Paige has been preaching affordable housing and Mike Saegh heard that and proposed was great. I think conceptually, as town, we should embrace this. We have conditions to consider and should make sure that we can get those conditions in at the appropriate time. In the last 5 years that I've been on the Board, we've had a lot of conversations on housing.

BC – Development costs for land is ridiculous, which is why we are looking to put a lot of units on a small parcel of land.

MS – Because there is a lack of supply in the state and town. If you can relieve some of the pressure with some more inventory that would be helpful and take some of the pressure off of rising prices.

ME – Any new building and construction, coming into town isn't going to strain the infrastructure in the town. It will change the town. As we have more developments and projects that are on the board. That will be the job of the Selectmen at that time and that is a part of growth of any town.

SM – I'm not sure that the town wants to grow. All I hear people talk about is the small town charm. There are so many moving parts and I want to think ahead and look at the potential impact. As a sitting Selectmen in town I don't want to hear about how there will be more kids in class rooms because of our decision. There is a reason why the by-law is in place and we went to town meeting to change the bylaw I would be okay with it. I don't think people have come in front of the Board for a project like this before.

LG – That's because they were regular 40Bs and this is a LIP 40B project. We are at a different point now.

SM – Couldn't they just go to the ZBA without us?

LG - You said there was nothing in front of us before but there is now because we are over the 10%.

ME – To address a couple of Stephanie's points, the zoning bylaw hasn't been looked at since 1968, which is a long time. Also Paige has been working to get housing and she has her finger on the pulse of the community and how many surveys have you put out Paige and that you have heard we need affordable housing? [At least 3 surveys].

LG – If we do nothing nothing changes. Nobody is looking to change the zoning. If there is a spot in town that the area could use a bit of polishing. This isn't about the zoning in town but about this specific project. Part of our budget is new growth and with Covid there isn't a lot of commercial stuff going on. The housing crunch will continue and exacerbates even further and house prices go up.

BK – The most significant comment that has been said there won't be a place for Foxborough kids to live in town or for older residents to retire because we've been told that they can't afford or able to take care of a larger home. They want to downsize and stay in town. We have created one set of housing stock and now it's unaffordable.

ME – Part of the budget is new growth and this is what we look for.

LG – Even the houses that are on Souza Lane are \$500k. There is a need for this, people are spending money because there isn't a lot of stock. I'm trying to keep an open mind and look at the pros and cons. If we are looking at other areas like the bleachery and what do we do with it because it's an issue.

Joy Sembaro – I live at 85 Morse Street for 41 years. It has changed so much. We have people cut through Morse Street to get into Mansfield. Traffic is horrendous and 18 wheelers go by. We don't need any more traffic on Morse Street. We bought because it is beautiful down there with the conservation area because it was quiet. Who is going to be moving in down there? Also they are going to be able to tie into sewer and we weren't

SF – What do you mean who is going to move in down there?

Joy S. – Who it's going to attract, we have enough 40B.

LG – I think that is a lot of the misconception, unfortunately with 40B.

Joy – You said Foxborough people would be allowed to buy, are they?

ME – We already determined that.

JS – You are talking about \$550,000 homes, you talk about no place to live in Foxborough. I've seen small bungalows knocked down and big houses being built. Why can't those be refurbished?

LG – This is because of the housing crisis and we don't do that, we aren't developers.

BK – The cost of land has risen and if you sold that house you are buying for the land not the home.

Joy – You say the zoning board has the say of what get built and how it gets built. How can you tear down the house? I thought you always had to put the same foot print?

LG – That is by right. That lot is allowed to tear down and put something up and not have to keep the same footprint.

SM – Probably by the time this go through it will be higher than they are saying right now.

LG – Then what happens if we do nothing?

Paige – I've heard before "we couldn't afford to live in Westwood, so we moved out here." That was 30-40 years ago. I think we can all agree, this housing crisis now is nothing we have seen. The seniors are competing with developers for the \$300,000 lots and they can't take it on and make it handicap accessible as well. To address the zoning issue. Zoning was created under 40A and 40 b came after. Through our zoning we create snob zoning and with a \$300,000 lot you have to build something \$700-\$900k in this market. No one wants to change the zoning. This is the only way to move the dial a little bit and have smaller housing units that are 1,500 feet or less. 40B was directly designed to address the problems with 40A. To the neighbors that is industrial zoned the number of cars from however many units will be different than a major industrial use. Something will be developed on that site and this is what on the table right now.

LG – I look at all the plus and minus and how it will affect traffic and the beaver, etc. It's looking at all the pluses and minuses.

BK- Home ownership here is far more desirable than apartments because people have roots in the community. We have over 800 apartments with only 125 or so that are affordable.

LG – I didn't know that until now.

Terry Howe 101 Morse Street – It is the size of this that horrifies us along with the potential traffic that is concerning. There is no sidewalk and we couldn't tie into sewer and we had to pay for it.

LG – Looking at it is the size and the sidewalk and every subdivision we build has to have a sidewalk.

Heather Harding, 14 North High Street - It was my understanding that you are doing your homework whether or not you vote to support this project it would continue. No matter what is voted you (Mike Saegh) will go through the process with the ZBA.

Mike Saegh confirms.

Kathy Vander, 109 Morse Street – Conceptually we are saying that we want housing, but what are we asking to be approved tonight means that you are approving where it will be. One of the things said was that you would look at contingencies and we haven't done that tonight. This may not be the best place and if there is not a need for it right now then why are we pushing it. If we are looking to beautify it, we could beautify the triangle out front that is conservation land. The planner said it would stop the dirt bike and I'm not looking to get rid of dirt bikers. They clear the paths that we walk. As far as local preference, they put in a parking lot for Foxborough residents only and there is only 3 cars there.

BK – That parking lot was full

Kathy V – I think that the seniors want lower taxes and not to leave their homes. This is almost Mansfield and people don't think it's Foxborough. This will seem like Mansfield because it looks like Mansfield because that's what Mansfield does. While it's a good solution for the town, but we're affected. The driveway is really narrow and the bridge would be a problem for all the traffic. I would ask you not to approve because it would take a section of Foxborough and make it feel like Mansfield.

LG – My thoughts going forward is that we have the site visit have Jane come from Conservation and then look at conditions that we would want to have for if we sign on to this project.

MS – We had a \$300k-\$350k a year, plus its \$500k to hook up to sewer and water.

LG – Are there other thoughts on next steps?

ME – Visit the site and come up with conditions.

#### 8. 8:30pm Economic Development Committee - Funds Usage Discussion about utilizing EDC funds to promote grand openings of businesses in town

LG – I wanted to see what we could do to help the businesses in town. Other towns do it along with the Tri-Town Chamber of Commerce. It helps them feel welcome and is a great photo opportunity. We could start with Central Street as it has several new businesses that have opened or will be opening soon. I'm looking for maybe \$100 out of the EDC for supplies and we can work on a process within Town Hall to know what business is opening.

BK – We want to make sure that we coordinate with the Tri-Town Chamber to support that effort to work collaboratively with the Town on that.

LG – They do it when the business is on the Tri-Town Chamber of Commerce. It's such little time and money and such a great thing to do.

BK – Welcome to Foxboro proclamation could also be done for this type of event.

LG – Christina, were you able to look into cost for those thing

CM – Yeah it depends on how customized you want the scissors to be. They range from \$50 to \$200 depending on how customized you want them.

LG – I think we go up to \$300. Also myself, Paige, and Heather were talking about doing an event Uptown to highlight Central street.

BK – It's not just Central Street.

LG – We would need you to come up with a process to track the new businesses.

**Motion to utilize Economic Development Committee funds up to \$300.00 to promote grand openings for business in town by S. Ferguson, 2<sup>nd</sup> by M. Elfman.**

Discussion SF – I'm not for public funds for private businesses.

LG – I understand that. On the flipside I think part of the Boards is to introduce new business to the community and the Tri-Town Chamber of Commerce and to get them apart of the Foxborough Common Business Collaborative.

SM – This is what the money is there for.

LG – Besides the fire station we haven't done much and not been able to spend the money.

HH – We used it for Shop Local.

SF – It is taking from one business to another.

LG – Yes.

**Approved, 4-1. S. Ferguson opposed.**

#### 9. 8:40pm Town Manager's Update

Subject 9.1 Covid-19 Update – The delta variant is raising havoc again and as of today we are dealing with 36 cases. We are in the yellow phase at this point. 65% of our total population is vaccinated at this point.

SF – Do we have any information how the cases are being transmitted and what's driving the increase in cases?

BK – The delta variant is more contagious than the alpha strain of the virus and unvaccinated people remain at the greatest risk. Vaccinations are highly effective in protecting against the delta variant.

LG – Everyone that has the vaccination is less effected by the delta variant if they are testing positive.

BK – The impact is not as severe with the delta variant in the vaccinated.

LG – I would like to take the direction from the BOH on if we should require masks.

BK – The recommendation is from the CDC to wear a mask regardless of vaccination in areas of high transmission. Nearly everyone in town hall is vaccinated.

SM – Is our plan we would want to see what the state says?

LG – We received an email that a resident demanded that we wear mask. This was from a site that you can email local and state officials. I called both people and told them we go those emails.

BK – Going back to Stephanie's we will defer to the Board of Health and they go by what CDC or Mass DPH says.

LG – The numbers are going up from looking at the dashboard we have access to see.

Subject 9.2 Update regarding options for Trash & Recycling for Town – I met with Kathy M. from DEP and am getting additional information from the Board of Health on the trash and will generate some options for the Board to consider. It is quite complicated and once we have more information we can present a complete picture.

Subject 9.3 Update on American Rescue Plan Act Funds – There is a meeting on the 23<sup>rd</sup> and the county will do an update on the process and have teamed up with the other counties on the auditing system. They will help determine if we meet federal guidelines. They are going to go over the presentation. Will have a more definitive information next meeting.

- I met with Advisory Committee Chair to kick off the fiscal year process.

#### 10. 8:50pm - Selectmen's Update

Subject 10.1 New Business – LG -Special Town Meeting Date - November 15, 2021 10 articles currently, heavy on zoning

Michael Bobbin from the Mass Cultural Council came and visited the Orpheum.

New business opening in town.

ME – I did represent the Board at the Walpole Outdoors grand opening. It was incredible who works for Walpole Outdoors.

Subject 10.2 Old Business – None.

#### 11. Action Items

11.1 Saga Hibachi Steakhouse and Sushi Bar - Extended Hours Request to open at 10am on 9/26, 10/24, 11/14, 11/28 and 12/26 in 2021

**Motion to approve the Extended Hours Request for Saga Hibachi Steakhouse and Sushi Bar to open at 10:00am on September 26th, October 24th, November 14th and 28th and December 26th, 2021 by S. Ferguson 2<sup>nd</sup> by M. Elfman.**

**Discussion: LG - They did not apply for the 4:25 game, public safety should make note.**

**Approved 5-0.**

11.2 Wormtown Brewery- Extended Hours Request to open at 10am on 9/12, 9/26, 10/17, 10/24, 11/14, 11/28 and 12/26 in 2021

**Motion to approve the Extended Hours Request for Wormtown Brewery to open at 10:00 am on September 12th and 26th, October 17th and 24th, November 14th and 28th and December 26th, 2021 by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

11.3 CBS Sporting Club - Application for a 2021 Sunday Entertainment License

**Motion to approve the Sunday Entertainment License for CBS Sporting Club by S. Ferguson 2<sup>nd</sup> by M. Elfman.**

**Discussion: Isn't this a late application?**

**CM – It is for Sunday entertainment so if they have a band and charge for it on Sundays they are licensed to do so until the end of the year.**

**Approved 5-0.**

11.4 Scorpion Bar - Application for a 2021 Sunday Entertainment License

**Motion to approve the Sunday Entertainment License for Scorpion Bar by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

11.5 Foxborough Cultural Council - Acceptance of \$352.51 in donations and bag sales to the Foxborough Cultural Council

**Motion to accept a \$352.51 in donations and bag sales to the Foxborough Cultural Council by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

11.6 Block Party Application - Application for a Block Party on Saturday, August 21, 2021 from 3:00 p.m. to 8:00 p.m. on the corner of Hodges Drive and Brookside Drive

**Motion to approve the application for a Block Party on Saturday, August 21, 2021 from 3:00 p.m. to 8:00 p.m. on the corner of Hodges Drive and Brookside Drive by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

11.7 BOS - Approval of BOS Minutes from 7/6/21 meeting

**Motion to approve the July 6, 2021 Board of Selectmen Meeting Minutes by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**

12. Adjourn at 9:52pm

**Motion to adjourn by S. Ferguson 2<sup>nd</sup> by M. Elfman. Approved 5-0.**