

MEETING MINUTES
Town of Heath
SELECT BOARD
Jacobs Road Municipal Center
Tuesday, March 11, 2025

Called to Order at 5:00 p.m. With Robyn Provost-Carlson, Elissa Viarengo, Will Emmet and Hilma Sumner, Town Coordinator.

This meeting was recorded.

Others in Attendance: See attendance list.

Review of Minutes: *On a motion by Elissa Viarengo and seconded by Will Emmet, the Select Board unanimously voted to approve the minutes of March 4, 2025, as amended.*

Public Comment: None.

Sawyer Hall Water/Heat Issues: The Building Maintenance Coordinator met with the insurance adjuster the previous Wednesday. After viewing the visible damage, the adjuster gave approval for the Town to proceed with the necessary repair work.

Community Hall Windows Project: The contract with Don Hayward was signed today. He will begin work next week and will be removing several windows at one time. The windows will be taken to his shop to complete the renovation work before reinstalling them.

Kurowski/Wecker Dog Hearing Deliberation: Select Board member Elissa Viarengo recused herself from this item of business due to possible conflict of interest. Animal Control Officer Jessecah Gower and dog owner Meredith Wecker were present for the discussion. Robyn recapped the information from the public hearing and last week's deliberation. Jessecah expressed concern that the dog has learned to use his mouth to get what he wants. She added that it is also a public hazard and safety risk with a large dog roaming in the road.

The Board noted the many violations of the dog, Shamus, leaving his own property many times and having more than one report of the dog growling at people. During one incident the dog grabbed the arm of a woman known to him. *On a motion by Will Emmet and seconded by Robyn Provost Carlson, the Select Board unanimously voted to declare Shamus a nuisance dog who must be contained on property, restrained with an appropriate leash by a responsible adult when off property, wear an owners information tag on its collar and have current rabies and licensing at all times.*

If there are violations reported to the Animal Control Office, any fines or other measures will follow the terms in MGL Ch. 173a. The Board also noted that the owners need to determine if the present environment is the best setting for the dog or if a more open setting would be a more favorable living situation for the animal.

Proposed Changes to Zoning Bylaws: Planning Board members Doug Mason, Steve Thane, and Bill Fontes joined the meeting. Will Emmet is also a member. There are proposed changes to four sections of the current Zoning Bylaws: sections 4.7, 6.1.2.1, 6.3 & 10, and section 9. It was noted that there were new state regulations for accessory dwelling units that had just been issued which means there needs to be further modifications made to the existing bylaws to bring them into compliance.

Private Ways in section 6.1.2.1 and several of the definitions in section 9 have been recommended for change by town counsel. There are some definitions that still need to be revised so that all the relevant sections are consistent. Amendments to Section 6.10 that deals with wireless broadband facilities have been drafted but most of the members have not had opportunity to review the proposal. The Planning Board will meet on Monday to review and vote on the final proposals for change. On Tuesday evening they will meet with the Select Board for further discussion.

HCA with True Cannabis and Development Agreement: Resident Greg Rode met with the Board to discuss the two agreements made with entities of 11 Bellow, LLC. The Board agreed that there has not been any action or development taken by the developer or the first farm, True Cannabis, in over a year. Under section 16 of the HCA, the Board has the authority to end the agreement. *On a motion by Elissa Viarengo and seconded by Will Emmet, the Select Board unanimously voted to terminate the Host Community Agreement, dated November 23, 2021, with True Cannabis siting the conditions in section 16 of said agreement.*

The Development Agreement, under section 12, cites similar conditions for termination including the lack of any work or progress on the property. *On a motion by Elissa Viarengo and seconded by Will Emmet, the Select Board unanimously voted to terminate the Development Agreement, dated November 23, 2021, with 11 Bellow LLC siting the conditions in section 12 of said agreement.*

On a motion by Elissa Viarengo and seconded by Will Emmet, the Select Board unanimously voted to allow the Town Coordinator to write and issue the letters of notification.

FY 2026 Budget Discussion: The Board held a discussion about planning the budget and what possible impact the salary of a new highway employee will have on that particular account. Hilma raised questions about the impact that raising the \$15/hr. positions to \$17/hr. would have on clerk positions that are currently making \$18-\$19/hr. Because of the conversion to a town-wide phone system, Hilma would like to take the amount of the various phone bills and add that amount to the Technical Support account to make the cost equitable for all town building expenses.

Mail:

- RPC re: questions to ACO
- R. Boyd (FRCOG) re: request to send letter for remote meetings—letter to be sent
- KP Law re: amendments to MGL Ch. 60
- FCSWMD re: MRF processing recycling expense for Feb.
- Planning Board re: proposed zoning bylaw changes
- Planning Board re: Proposed changes to ADUs elaborated
- H. Hallman re: request for road closure on Aug. 31, 2025— *On a motion by Elissa Viarengo and seconded by Will Emmet, the Select Board unanimously voted to grant permission for the roadway in front of Community Hall to be closed on the afternoon of August 31, 2025.*

Next Meetings: March 18

8:13 p.m. *On a motion by Elissa Viarengo and seconded by Will Emmet, the Select Board unanimously voted to adjourn the meeting.*

Respectfully submitted,

Hilma A. Sumner
Town Coordinator