



Select Board

Meeting Packet

January 7, 2025

Municipality	Fiscal Year	Average Single Family Value	Single Family Tax Bill	% Increase	Rank	Override Amount
Milton	2000	265,969	3,998	3.8%	38	
Milton	2001	266,914	4,124	3.2%	40	
Milton	2002	268,566	4,531	9.9%	39	2,144,210
Milton	2003	401,772	4,713	4.0%	43	
Milton	2004	403,116	4,886	3.7%	46	
Milton	2005	480,409	5,064	3.6%	47	
Milton	2006	538,912	5,470	8.0%	46	
Milton	2007	544,895	5,907	8.0%	41	2,411,083
Milton	2008	549,314	6,015	1.8%	43	
Milton	2009	529,533	6,217	3.4%	43	
Milton	2010	519,035	6,929	11.5%	37	3,420,189
Milton	2011	507,054	7,134	3.0%	38	
Milton	2012	510,170	7,321	2.6%	39	
Milton	2013	508,262	7,471	2.0%	40	
Milton	2014	516,317	7,740	3.6%	39	
Milton	2015	565,278	7,880	1.8%	40	
Milton	2016	604,045	8,155	3.5%	40	
Milton	2017	625,017	8,475	3.9%	39	
Milton	2018	659,179	9,103	7.4%	36	3,137,264
Milton	2019	713,849	9,409	3.4%	35	
Milton	2020	737,878	9,681	2.9%	32	
Milton	2021	759,212	9,968	3.0%	33	
Milton	2022	824,451	10,281	3.1%	39	
Milton	2023	935,876	10,669	3.8%	38	
Milton	2024	1,008,088	11,008	3.2%	43	
Milton	2025	1,028,487	11,406	3.6%		

Fiscal Year	2025	2026	2026	2026	2026	2026	
Status	Recap	No Override	Override - \$5 million	Override - \$6 million	Override - \$7 million	Override - \$7.5 million	
Average Single Family Value	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487	
Maximum Allowed Levy	101,944,061	105,271,933	105,271,933	105,271,933	105,271,933	105,271,933	
Override Amount		\$ -	\$ 5,000,000	\$ 6,000,000	\$ 7,000,000	\$ 7,500,000	
Levy with Override		\$ 105,271,933	\$ 110,271,933	\$ 111,271,933	\$ 112,271,933	\$ 112,771,933	
Tax Rate	\$11.09	\$ 11.45	\$ 12.00	\$ 12.10	\$ 12.21	\$ 12.27	
Average Single Family Tax Bill	\$ 11,406	\$ 11,778	\$ 12,338	\$ 12,450	\$ 12,561	\$ 12,617	
\$ Increase from FY25		\$ 372	\$ 932	\$ 1,044	\$ 1,156	\$ 1,211	
% Increase from FY25		3.26%	8.17%	9.15%	10.13%	10.62%	
Additional amount for Override	N/A	N/A	\$ 559	\$ 671	\$ 783	\$ 839	
% Increase for Override	N/A	N/A	4.90%	5.89%	6.87%	7.36%	
Fiscal Year	2025	2026	2026	2026	2026	2026	2026
Status	Recap	No Override	Override - \$8 million	Override - \$8.5 million	Override - \$9 million	Override - \$9.5 million	Override - \$10 million
Average Single Family Value	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487	\$1,028,487
Maximum Allowed Levy	101,944,061	105,271,933	105,271,933	105,271,933	105,271,933	105,271,933	105,271,933
Override Amount		\$ -	\$ 8,000,000	\$ 8,500,000	\$ 9,000,000	\$ 9,500,000	\$ 10,000,000
Levy with Override		\$ 105,271,933	\$ 113,271,933	\$ 113,771,933	\$ 114,271,933	\$ 114,771,933	\$ 115,271,933
Tax Rate	\$11.09	\$ 11.45	\$ 12.32	\$ 12.38	\$ 12.43	\$ 12.49	\$ 12.54
Average Single Family Tax Bill	\$ 11,406	\$ 11,778	\$ 12,673	\$ 12,729	\$ 12,785	\$ 12,841	\$ 12,897
\$ Increase from FY25		\$ 372	\$ 1,267	\$ 1,323	\$ 1,379	\$ 1,435	\$ 1,491
% Increase from FY25		3.26%	11.11%	11.60%	12.09%	12.58%	13.07%
Additional amount for Override	N/A	N/A	\$ 895	\$ 951	\$ 1,007	\$ 1,063	\$ 1,119
% Increase for Override	N/A	N/A	7.85%	8.34%	8.83%	9.32%	9.81%
Every \$1 million increase in the tax levy = approx. \$112 increase in tax impact on the average single family house							

TOWN OF MILTON 2025



Special Town Meeting

Monday, February 24, 2025

Milton High School Auditorium

7:30 p.m.

WARRANT

INCLUDING THE REPORT OF THE WARRANT COMMITTEE
AND RECOMMENDATIONS ON ARTICLES
as required by Chapter 12, Section 4, of the General Bylaws of Town

PLEASE BRING THIS REPORT TO TOWN MEETING

February 2025 Special Town Meeting Warrant

Commonwealth of Massachusetts, SS
County of Norfolk

To any of the constables of the Town of Milton in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Milton, qualified to vote in Town affairs, to meet at the Milton High School Auditorium at 25 Gile Road in said Milton on Monday, the twenty-fourth day of February next at 7:30 o'clock in the evening, then and there to act upon the following Articles to wit:

Articles 1-

And you are directed to warn said inhabitants qualified as aforesaid to meet at the times and places and for the purposes herein mentioned by posting attested copies of the Warrant in each of the Post Offices of said Town fourteen days at least before the twenty-fourth day of February. Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk, on or before the tenth day of February 2025.

Given under our hands at Milton this of 28th day of January, 2025.

Richard G. Wells, Jr.
Roxanne F. Musto
John C. Keohane
Erin G. Bradley
Benjamin D. Zoll

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WARRANT ARTICLES AND RECOMMENDATIONS

ARTICLE NO	Title	Page
	Appropriation from the PEG Access Enterprise Fund	_____
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	Appropriation for Lead Service Line Inventories and Replacements	_____
	Appropriation for Lead Service Line Inventories and Replacement Plans	_____
	Home Rule Petition for a Senior Means Tested Tax Exemption	_____
	Amendment to the School Building Committee Membership	_____
	Appropriation for a Feasibility Study with the Massachusetts School Building Authority	_____
	Zoning Bylaws Amendment re: Zoning Map	_____
	Zoning Bylaws Amendment re: Site Plan Review	_____
	Zoning Bylaws Amendment re: Accessory Dwelling Units	_____

In compliance with the American with Disabilities Act, this Warrant can be made available in alternative formats. The February 24, 2025 Special Town Meeting, if requested, will be offered by assisted listening devices or an interpreter certified in sign language. Requests for alternative formats should be made as far in advance as possible.

Should you need assistance, please notify the SELECT BOARD at 617-898-4843 or 617-696-5199 TTY.

Smoking and other tobacco use is prohibited in school facilities and outside on the school grounds by MGL Chapter 71, Section 37H, “An Act Establishing the Education Act of 1993.” This law applies to any individual at any time.

Strong fragrances cause significant adverse reactions in some people, such as migraine headaches. Products with strong fragrances include personal care products such as perfume, cologne, fragranced hair products, after shave lotion, scented hand lotion, etc. Attendees at Town Meeting are requested to avoid wearing products with strong fragrances. As an accommodation to persons with such adverse reactions, and to allow safe and free access to the auditorium, the lobby and restroom, attendees at Town Meeting who are wearing products with strong fragrances, or who think they may be wearing products with strong fragrances, are requested to sit away from the sections nearest to the lobby entrance.

**MESSAGE FROM THE TOWN MODERATOR
ROBERT G. HISS**

Welcome to the 2025 February Special Town Meeting!

Robert G. Hiss

Town Moderator

DRAFT

**REPORT OF THE WARRANT COMMITTEE
FOR THE 2025 ANNUAL TOWN MEETING**

Greetings to the Honorable Select Board, Town Meeting Members and Residents,

Yours In Service,

The Warrant Committee

DRAFT

Article XX To see if the Town will vote to appropriate \$60,000 from the PEG Access Enterprise Fund to MPEG Access, Inc. for the purposes of equipping the meeting room in the former Fire Headquarters Building to support public, educational, and governmental access cable television services; and to act on anything relating thereto.

Submitted by the Select Board

Draft motion: RECOMMENDED that the Town vote to appropriate \$60,000 from the PEG Access Enterprise Fund to MPEG Access, Inc. for the purposes of equipping the meeting room in the former Fire Headquarters Building to support public, educational, and governmental access cable television services; and to act on anything relating thereto.

COMMENT: 

Note: approved for the warrant by the Select Board on December 17, 2024

Article XX To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to grant the Town five additional liquor licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of chapter 138 of the General Laws; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition:

An Act authorizing the town of Milton to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises

SECTION 1. (a) Notwithstanding section 11 of chapter 138 of the General Laws, section 17 of chapter 138 of the General Laws, or any general or special law to the contrary, the licensing authority in the town of Milton may grant five additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138.

(b) A license granted pursuant to this act shall only be exercised in the dining room of a common victualler licensed to conduct a restaurant and other such public rooms or areas as may be deemed reasonable and appropriate by the licensing authority as certified in writing.

SECTION 2. This act shall take effect upon its passage.

; and to act on anything relating thereto

Submitted by the Select Board

RECOMMENDED that the Town vote

COMMENT:

Note: approved for the warrant by the Select Board on December 17, 2024

Article XX To see if the Town will vote to amend Chapter 105 Alcoholic Beverages of the General Bylaws by striking Section 105-1 Consumption on Town property prohibited; consumption on leased premises and replacing it with the following:

§ 105-1 Consumption on Town property and leased premises.

- A. Drinking, sale or possession of alcoholic beverages, as defined in Chapter 138 of the Massachusetts General Laws (for purposes of this Section 105-1, “Alcoholic Beverages”), while in a building owned by the Town of Milton or upon land owned by the Town of Milton (collectively, for purposes of this Section 105-1, “Town Property”), is prohibited, except when authorized by the express advance approval of the Select Board and, in addition, if different from the Select Board, the entity with care, custody, and control of the subject Town Property.

For purposes of this Section 105-1, the phrase “Town of Milton” shall include any department, office, public body or other entity of the Town.

The requirements of this Section 105-1 shall exist independent of, and in addition to, any applicable requirements of law relating to Alcoholic Beverages, including without limitation Chapter 138 of the Massachusetts General Laws.

- B. Whoever violates any provision of this section shall be fined an amount of not less than \$25 nor more than \$100 for each offense.

and to authorize the Town Clerk to assign or amend chapter and section numbers; and act on anything relating thereto.

RECOMMENDED that the Town vote .

COMMENT:

Note: approved for the warrant by the Select Board on December 17, 2024

ARTICLE XX To see what sum of money the town will vote to appropriate to provide capital needs for the Town's water system, including costs incidental and related thereto, and to authorize the Select Board, on behalf of the Town to apply for and use federal, state, MWRA or other funds for this purpose, to see how such appropriation shall be raised; whether by borrowing under applicable provisions of law or otherwise; and to act on anything related thereto.

Submitted by the Select Board

Draft recommendation: RECOMMENDED that the sum of \$1,700,000 be appropriated for the purpose of financing the Town's lead service line investigations and replacements, including costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow \$1,700,000 under and pursuant to Chapter 44, Section 8 (5) of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Select Board be and hereby is authorized to accept and expend in addition to the foregoing appropriation one or more grants or gifts from the Massachusetts Water Resources Authority Lead Replacement Program, or any other public or private funding source.

Draft COMMENT: In 2016, on recommendation from the MWRA Advisory Board, the MWRA Board of Directors approved an enhancement to the Local Water System Assistance Program to provide up to \$100 million in 10-year zero-interest loans to communities solely for efforts to fully replace lead service lines. Each community will develop its own program, tailored to their local circumstances.

In 2024, the MWRA Board of Directors approved an additional \$100 million in assistance, and has included a twenty-five (25%) grant component for communities who fully fund the removal and replacement of the portion of the lead service line on private property. Through this appropriation, the Town intends to apply to the MWRA to participate in the 0% loan/grant program to fund activities related to lead service lines. The Town would utilize funding for the design, bidding and construction of a lead service replacement construction project and utilize the funding to conduct test pits in locations around Milton to further refine the Town's data on types of service lines. Beginning in 2027, the Lead and Copper rule revisions require that public water systems begin removal of lead service lines at a rate of 10% per year.

Note: approved for the warrant by the Select Board on December 17, 2024

ARTICLE XX To see what sum of money the town will vote to appropriate to for the purpose of performing lead service line inventories and preparing associated reports, including costs incidental and related thereto, and to authorize the Select Board, on behalf of the Town to apply for and use federal, state or other funds for this purpose, to see how such appropriation shall be raised; whether by borrowing under applicable provisions of law or otherwise; and to act on anything related thereto.

Submitted by the Select Board

Draft motion: RECOMMENDED that the sum of \$200,000 be appropriated for the purpose of financing the Town's lead service line inventories and replacement plans, including costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow \$200,000 under and pursuant to Chapter 44, Section 8 (5) of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Select Board be and hereby is authorized to accept and expend in addition to the foregoing appropriation one or more grants or gifts in the form of principal forgiveness from the Massachusetts Clean Water Trust (the "Trust") or any other public or private funding source.

Draft COMMENT: Background: In 1991 the United States Environmental Protection Agency promulgated regulations known as the Lead and Copper Rule (LCR) under the authority of the 1974 Safe Drinking Water Act. The LCR helps protect public health by regulating water suppliers (PWS) on how to treat and control for lead. The Lead and Copper Rule Revisions (LCRRs), finalized in 2021, require all PWSs, including the Town of Milton, to complete a full inventory (accessible online by the public) of service lines connected to its distribution system by October 16, 2024. The current inventory contains approximately 4,700 services of unknown materials. The Town is seeking funding in order to conduct further research in order to reduce the number of service lines in Milton whose material is unknown. The project would include the utilization of a statistical model based on existing information and new research, including test pits and surveys.

The Massachusetts Clean Water Trust (the Trust) and the Massachusetts Department of Environmental Protection (MassDEP) are offering two new programs for Lead Service Line inventories and replacement planning programs to assist with complying with Lead and Copper Rule revisions. The planning loan program will offer 100% loan forgiveness for projects completing these activities. This appropriation would enable the Town to participate in the loan forgiveness program.

Note: approved for the warrant by the Select Board on December 17, 2024

Article XX To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation establishing a means-tested Senior Citizen Property Tax Exemption to provide property tax relief for certain eligible property owners, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments:

An Act relative to the establishment of a Milton means-tested property tax exemption

SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential according to the classification by the Board of Assessors for the town of Milton (a "Qualifying Parcel") there shall be a senior, means-tested exemption from the property tax otherwise payable with respect to such Qualifying Parcel in an amount to be determined annually by the Select Board as described herein. For the purposes of this special act, a Qualifying Parcel shall be a unit of real property as defined by the Board of Assessors under the deed for the property as residential class one and includes a condominium unit. The exemption provided for herein shall be in addition to any and all other exemptions allowed by the General Laws.

SECTION 2. A taxpayer shall qualify for the exemption provided for herein only if all of the following criteria are met:

- a. The Qualifying Parcel is owned and occupied by one or more natural persons who applied for and received the circuit breaker income tax credit the previous calendar year under section 6(k) of chapter 62 of the General Laws;
- b. The Qualifying Parcel is owned by: (i) a single taxpayer age 65 or older; or (ii) jointly by one or more taxpayers so long as one owner is age 65 or older and all other owners are age 60 or older in each case as determined as of December 31st of the previous calendar year;
- c. The Qualifying Parcel is the domicile of the taxpayer(s);
- d. The applicant taxpayer (or at least one of the joint applicants) has been domiciled and owned a residential unit of real property in the town of Milton for at least ten (10) consecutive years prior to filing an application for this exemption;
- e. The maximum assessed value of the domicile is no greater than the prior fiscal year's maximum assessed value for qualification for the circuit breaker income tax credit under Section 6(k) of chapter 62 of the General Laws as adjusted annually by the Department of Revenue;
- f. Property taxes shall not be reduced by more than 50 percent by this exemption; and
- g. The Board of Assessors has approved the application. The Board of Assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. The Board of Assessors shall adopt a policy for approvals and denials of applications.

SECTION 3. The Select Board shall set the exemption amount provided for in section 1, provided that the amount of the exemption shall be within a range of 50 percent to 100 percent of the amount of the circuit breaker income tax credit under section 6(k) of chapter 62 of the General Laws which the applicant received in the previous year. The total amount exempted by this act shall be allocated proportionally within the tax levy on all taxpayers and/or shall be funded by an appropriation or transfer from existing funds and shall not exceed 1% of the municipality's tax Levy.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the Board of Assessors, file an application, on a form to be adopted by the Board of Assessors, with the supporting documentation of the applicant's income and assets as described in the application including a copy of the filed income tax return of the applicant showing the Circuit Breaker tax credit. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. No exemption shall be granted under this act until the Department of Revenue certifies a tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the tax levy and/or by an appropriation or transfer from existing funds.

Submitted by the

RECOMMENDED that the Town vote

COMMENT:

Note: not yet voted on by the Select Board

DRAFT

ARTICLE XX To see if the Town will vote to amend Article 6 of the 2019 February Special Town Meeting by adding the following positions to the School Building Committee established by said Article 6:

Position	Voting Status
Superintendent of Schools	Non-voting
Town Administrator	Non-voting
Director of Consolidated Facilities	Non-voting
Individual with MCPPO Certification (appointed by the School Committee)	Non-voting
School Principal (appointed by the School Committee)	Non-voting
Local Budget Official (appointed by the Town Administrator)	Non-voting

; and to act on anything relating thereto.

Submitted by the School Committee

Draft recommendation: RECOMMENDED that the Town vote to amend Article 6 of the 2019 February Special Town Meeting by adding the following positions to the School Building Committee established by said Article 6:

Position	Voting Status
Superintendent of Schools	Non-voting
Town Administrator	Non-voting
Director of Consolidated Facilities	Non-voting
Individual with MCPPO Certification (appointed by the School Committee)	Non-voting
School Principal (appointed by the School Committee)	Non-voting
Local Budget Official (appointed by the Town Administrator)	Non-voting

COMMENT:

Note: Voted on by the School Committee on December 18, but not yet voted on by the Select Board

ARTICLE XX To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee for a feasibility study of an elementary or middle school project for the Cunningham School, 44 Edge Hill Road, Milton, MA 02186, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

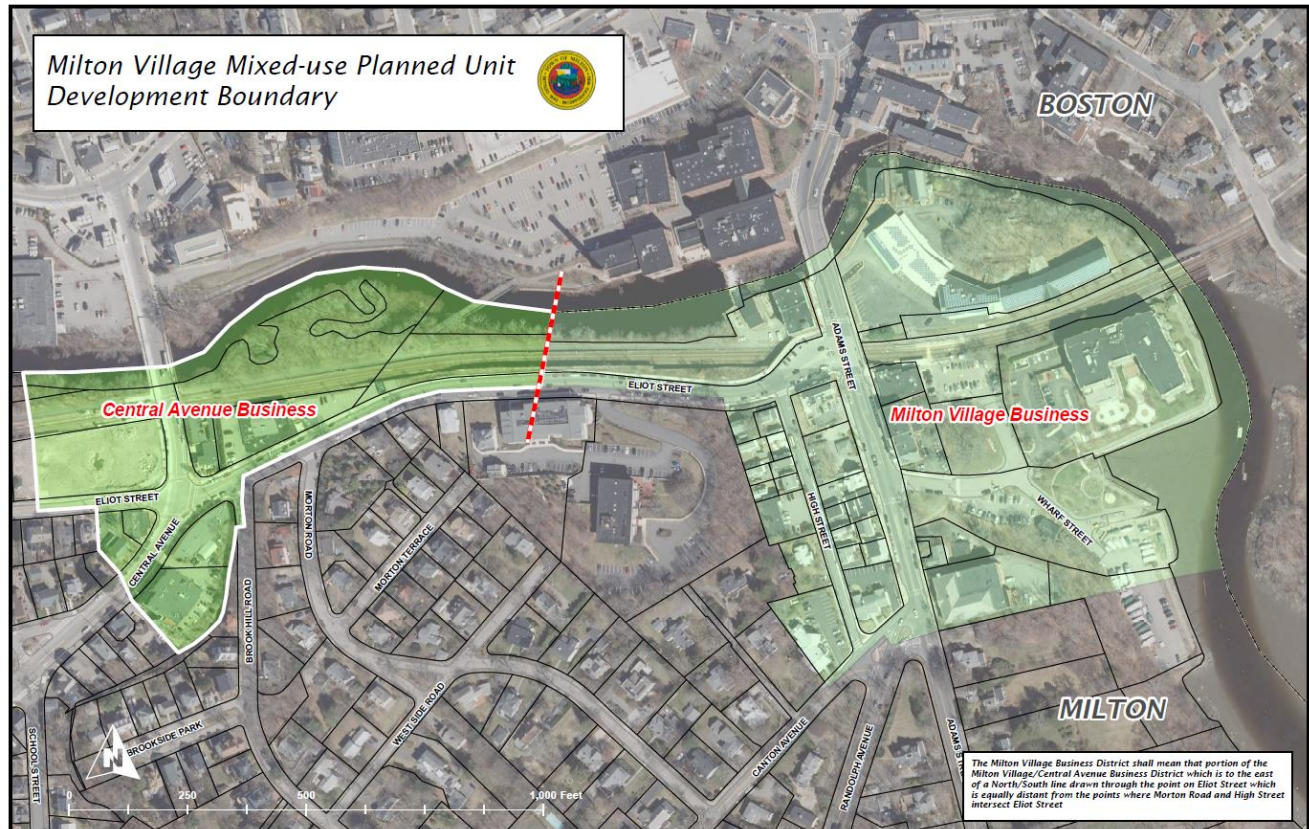
Submitted by the School Building Committee

Draft motion: **RECOMMENDED** that the Town of Milton appropriate the amount of one million five hundred thousand dollars (\$1,500,000) for the purpose of paying costs of a feasibility study of an elementary or middle school project for the Cunningham School, 44 Edge Hill Road, Milton, MA 02186, including the payment of all costs incidental or related thereto, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA.

COMMENT: 

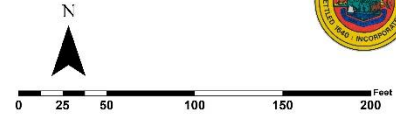
Note: Voted on by the School Building Committee on December 16, but not yet voted on by the Select Board. This form of article and vote requires review and approval by the MSBA and was shared with the MSBA for its review.

ARTICLE XX To see if the Town will vote to amend the Zoning Map to include the Milton Village Planned Unit Development and the Brook Road Overlay District as described below: Milton Village Planned Unit Development: That portion of the Milton Village/Central Avenue Business District which is to the east of a North/South line drawn through the point on Eliot Street which is at the parcel boundary of Assessor's Parcel E-2-2 with the street address of 1 Eliot Street; and the Brook Road Overlay District: The subject parcels are identified on the Assessors Map as of January 1, 2018 as: D-1-1 (3 Laurel Road) D-1-2 (3 Laurel Road) and D-1-16 (5-9 Thacher Street); and to act on anything relating thereto.





BROOK ROAD OVERLAY DISTRICT POTENTIAL PARCELS Scenario II



Parcel ID	ADDRESS	LandUse	Existing Use	Lot Area (sq ft)	Total Acres
D116	9 THACHER ST	101	Single Family Residential	16,577	0.3824
D12	3 LAUREL RD	101	Single Family Residential	4,325	0.0982



Produced by the Town of Milton GIS
525 Canton Avenue Milton, MA 02186
Date: October 26, 2024

Data Source:
Town of Milton GIS
Town of Milton Office of the Assessors
Aerial Imagery from NearMap

Map Created by Allan Bishop, GISP
abishop@townofmilton.org / (617) 898-4973
Map Created by Allan Bishop, GISP
abishop@townofmilton.org / (617) 898-4973

Submitted by the Planning Board

RECOMMENDED that the Town vote

COMMENT:

ARTICLE XX Zoning Bylaws re Site Plan Review

Language to be inserted

DRAFT

ARTICLE XX Zoning Bylaws Amendment re Accessory Dwelling Units

Language to be inserted

DRAFT

760 CMR 71.00: PROTECTED USE ACCESSORY DWELLING UNITS

Section

- 71.01: Statement of Purpose
- 71.02: Definitions
- 71.03: Regulation of Protected Use ADUs in Single-Family Residential Zoning Districts
- 71.04: Annual Updates

71.01: Statement of Purpose

- (1) *St. 2024, c. 150, s. 8* (the Act) amended M.G.L. c. 40A, s. 3 to encourage the production of accessory dwelling units throughout the Commonwealth with the goal of increasing the production of housing to address statewide, local, and individual housing needs for households of all income levels and at all stages of life.

The Executive Office of Housing and Livable Communities is the regulatory agency that is authorized by the Act to promulgate 760 CMR 71.00 and accompanying guidelines that establish rules, standards and limitations that will assist Municipalities and landowners in the administration of the Act.

- (2) The Act and 760 CMR 71.00 seek to balance municipal interests in regulating the use and construction of ADUs while empowering property owners to add much needed housing stock to address the Commonwealth's housing needs. The Act establishes that in certain circumstances the use of land or structures for ADUs are protected from zoning restrictions by providing that zoning shall not prohibit, unreasonably restrict or require a special permit or other discretionary zoning approval for the use of land or structures for a single ADU, or the rental thereof, in a single-family residential zoning district. The Act balances protection for these ADUs by authorizing municipalities to impose reasonable regulations on the creation and use of ADUs. The Act, however, explicitly prohibits municipalities from imposing requirements on protected accessory dwelling units that require owner-occupancy of either the ADU or the principal dwelling and imposes limitations on Municipal parking requirements.
- (3) 760 CMR 71.00 establishes definitions, standards, and limitations to assist in the local administration of M.G.L. c. 40A, s. 3, para. 11, pursuant to *St. 2024, c. 150, s. 8*. This regulation may be further supplemented by guidelines issued by EOHLC.

71.02: Definitions

Accessory Dwelling Unit (ADU). A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in Gross Floor Area than 1/2 the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality, including, but not limited to, additional size restrictions and restrictions or prohibitions on Short-term Rental; provided, however, that no Municipality shall unreasonably restrict the creation or rental of an ADU that is not a Short-term Rental.

Bus Station. A location serving as a point of embarkation for any bus operated by a Transit Authority. For routes that allow flag stop locations where passengers may signal for a bus to stop at any point along its designated route, the entire route shall be considered a Bus Station.

Commuter Rail Station. Any commuter rail station operated by a Transit Authority with year-round service with trains departing at regular time intervals, rather than intermittent, seasonal, or event-based service.

Design Standards. Clear, measurable and objective provisions of Zoning, or regulations, which are made applicable to the exterior design of, and use of materials for an ADU.

Dwelling Unit. A single housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EOHLC. The Executive Office of Housing and Livable Communities.

Ferry Terminal. The location where passengers embark and disembark from a ferry service.

Gross Floor Area. The sum of the areas of all floors of the building, including basements, cellars, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls or from the centerline of walls separating buildings, but excluding: (i) covered walkways, open roofed-over areas, porches and similar spaces; and (ii) pipe trenches, exterior terraces or steps, chimneys, roof overhangs and similar features.

Historic District. A district in a Municipality established pursuant to M.G.L. c. 40C or other state law that is characterized by the historic or architectural significance of buildings, structures, and sites, and in which exterior changes to and the construction of buildings and structures are subject to regulations adopted by the Municipality pursuant to M.G.L. c. 40C or other state law, as the case may be.

Lot. An area of land with definite boundaries that is used, or available for use, as the site of a building, or buildings.

Modular Dwelling Unit. A pre-designed Dwelling Unit assembled and equipped with internal plumbing, electrical or similar systems prior to movement to the site where such Dwelling Unit is affixed to a foundation and connected to external utilities; or any portable structure with walls, a floor, and a roof, designed or used as a Dwelling Unit, transportable in one or more sections and affixed to a foundation and connected to external utilities. A Modular Dwelling Unit shall not include a manufactured home, such as those defined under M.G.L. c. 140, s. 32Q.

Municipality. Any city or town subject to the provisions of M.G.L. c. 40A.

Principal Dwelling. A structure, regardless of whether it conforms to Zoning, including use requirements and dimensional requirements, such as setbacks, bulk, and height, that contains at least one Dwelling Unit and is located on the same Lot as a Protected Use ADU.

Prohibited Regulation. Zoning restrictions and Municipal regulations that are prohibited pursuant to 760 CMR 71.03(2), and as may be further provided for in EOHLC guidelines.

Protected Use ADU. An attached or detached Accessory Dwelling Unit that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and no other Accessory Dwelling Unit is located on said Lot and which is protected from Prohibited Regulations and Unreasonable Regulations pursuant to M.G.L. c. 40A, s. 3, para. 11 and 760 CMR 71.00.

Short-term Rental. Short-term rental, as defined in M.G.L. c. 64G, s. 1.

Single-Family Residential Dwelling. A structure on a Lot containing not more than one Dwelling Unit.

Single-Family Residential Zoning District. Any Zoning District where Single-Family Residential Dwellings are a permitted or an allowable use, including any Zoning District where Single-Family Residential Dwellings are allowed as of right, by special permit, variance, waiver, or other zoning relief or discretionary zoning approval.

Site Plan Review. A clear and objective process established by local ordinance or by-law by which a Municipal board or authority may review and impose reasonable terms and conditions on, the appearance and layout of a proposed use of land or structures prior to the issuance of a building permit.

Special Permit. A permit issued by a Municipality's special permit granting authority pursuant to M.G.L. c. 40A, s. 9.

Subway Station. Any of the stops along the Massachusetts Bay Transportation Authority Red Line, Green Line, Orange Line, Silver Line, or Blue Line, including any extensions or additions to such lines.

Transit Authority. The Massachusetts Bay Transportation Authority established by M.G.L. c. 161A, s. 2 or other local or regional transit authority established pursuant to M.G.L. c. 161B, s. 3 or M.G.L., c. 161B, s. 14.

Transit Station. A Subway Station, Commuter Rail Station, Ferry Terminal, or Bus Station.

Unreasonable Regulation. Zoning restrictions and Municipal regulations that are unreasonable pursuant to 760 CMR 71.03(3)(b) and as may be further provided for in EOHLC guidelines.

Use and Occupancy Restrictions. A Zoning restriction, Municipal regulation, covenant, agreement, or a condition in a deed, zoning approval or other requirement imposed by the Municipality that limits the use or occupancy of the Protected Use ADU to individuals or households at a specified income or age, or that imposes conditions that limit future use or occupancy of a Protected Use ADU based on income or age or, that imposes any similar use and occupancy restriction as may be further provided for in EOHLC guidelines.

Zoning. Ordinances and by-laws, adopted by Municipalities pursuant to M.G.L. c. 40A to regulate the use of land, buildings and structures, including base, underlying, and overlay zoning.

Zoning District. A geographic area within a Municipality which, pursuant to Zoning, are subject to use requirements that are generally uniform throughout the area.

71.03: Regulation of Protected Use ADUs in Single-Family Residential Zoning Districts

- (1) Municipalities shall not prohibit, impose a Prohibited Regulation or Unreasonable Regulation, or, except as provided under 760 CMR 71.03(5), require a special permit, waiver, variance or other zoning relief or discretionary zoning approval for the use of land or structures for a Protected Use ADU, including the rental thereof, in a Single-Family Residential Zoning District; provided that Municipalities may reasonably regulate a Protected Use ADU, subject to the limitations under 760 CMR 71.03(2) to 760 CMR 71.03(5), inclusive.
- (2) Prohibited Regulation. A Municipality shall not subject the use of land or structures on a Lot for a Protected Use ADU to any of the following:
 - (a) Owner-Occupancy Requirements. A requirement that either the Protected Use ADU or the Principal Dwelling be owner occupied.
 - (b) Minimum Parking Requirements. A requirement of, as applicable:

1. More than one additional on-street or off-street parking space for each Protected Use ADU on a Lot if all portions of such Lot are located outside a 0.5-mile radius of a Transit Station; or
 2. Any additional on-street or off-street parking space for each Protected Use ADU on a Lot if any portion of such Lot is located within a 0.5-mile radius of a Transit Station.
- (c) Use and Occupancy Restrictions. A requirement that a Protected Use ADU be subject to a Use and Occupancy Restriction.
- (d) Unit Caps & Density. Any limit, quota or other restriction on the number of Protected Use ADUs that may be permitted, constructed, or leased within a Municipality or Zoning District. Protected Use ADUs shall not be counted in any density calculations.
- (e) Relationship to Principal Dwelling. A requirement that a Protected Use ADU be attached to or detached from the Principal Dwelling.
- (3) Unreasonable Regulation.
- (a) A Municipality may reasonably regulate and restrict Protected Use ADUs provided that any restriction or regulation imposed by a Municipality shall be unreasonable if the regulation or restriction, when applicable to a Protected Use ADU:
1. Does not serve a legitimate municipal interest sought to be achieved by local zoning;
 2. Serves a legitimate municipal interest sought to be achieved by local zoning but its application to a Protected Use ADU does not rationally relate to the legitimate municipal interest; or
 3. Serves a legitimate municipal interest sought to be achieved by local zoning and its application to a Protected Use ADU rationally relates to the interest, but compliance with the regulation or restriction will:
 - i. Result in complete nullification of the use or development of a Protected Use ADU;
 - ii. Impose excessive costs on the use or development of a Protected Use ADU without significant gain in advancing the municipality's legitimate interest; or
 - iii. Substantially diminish or interfere with the use or development of a Protected Use ADU without appreciably advancing the municipality's legitimate interest.
- (b) For the purposes of 760 CMR 71.03(3), the following restrictions and regulations shall be considered unreasonable when applicable to a Protected Use ADU:
1. Design Standards. Any Design Standard that (i) would not be applied to a Single-Family Residential Dwelling in the Single-Family Residential Zoning District in which the Protected Use ADU is located or (ii) is so restrictive, excessive, burdensome, or arbitrary that it prohibits, renders infeasible, or unreasonably increases the costs of the use or construction of a Protected Use ADU.
 2. Dimensional Standards. Any requirement concerning dimensional setbacks, lot size, lot coverage, open space, and the bulk and height of structures that are more restrictive than

what is required for a Single-Family Residential Dwelling in the Single-Family Residential Zoning District in which the Protected Use ADU is located.

3. Utilities, Safety, and Emergency Access. Any requirement concerning utilities, safety and emergency access that is more restrictive than state requirements.
4. Environmental Regulation. Any regulation for the protection of public health, safety, welfare and the environment pursuant to Title 5, 310 CMR 15.000 that is more restrictive than is required for a Single-Family Residential Dwelling in the Zoning District in which the Protected Use ADU is located.
5. Site Plan Review. Any requirement under Site Plan Review concerning the Protected Use ADU that is more restrictive than those applied to the Principal Dwelling.
6. Impact Analysis and Studies. Any requirement under Zoning or Site Plan Review for any impact analysis, study, or report that is not required for the development of a Single-Family Residential Dwelling in the Single-Family Residential Zoning District in which the Protected Use ADU is located.
7. Modular Dwelling Units. Any requirement that prohibits, regulates or restricts a Modular Dwelling Unit from being used as a Protected Use ADU that is more restrictive than the Massachusetts state building code.
8. Short-term Rentals. Any restrictions or prohibitions on Short-Term Rentals that are not consistent with M.G.L. c. 64G.

(c) Notwithstanding 760 CMR 71.03(b)1. and 760 CMR 71.03(b)2., a Municipality may establish Design Standards and dimensional standards for Protected Use ADUs located in an Historic District that are more restrictive or different from what is required for a Single-Family Residential Dwelling in the Single-Family Residential Zoning District; provided, however, that such standards are not so restrictive, excessive, burdensome, or arbitrary that it prohibits, renders infeasible, or unreasonably increases the costs of the use or construction of a Protected Use ADU.

(d) EOHLC may clarify and provide examples of what constitutes Unreasonable Regulations through guidelines.

(4) Enforceability of Restrictions and Regulations on Pre-Existing ADUs. A Municipality shall not enforce any Prohibited Regulation or Unreasonable Regulation that was imposed as a condition for the approval of the use of land or structures for a Protected Use ADU prior to the effective date of 760 CMR 71.00, regardless of whether such Protected Use ADU complies with the Municipality's Zoning, including, but not limited to, use requirements and dimensional requirements, such as setbacks, bulk, and height.

(5) Special Permits for Multiple ADUs on the Same Lot. Notwithstanding 760 CMR 71.03(1), Zoning shall require a Special Permit in a Single-Family Residential Zoning District for the use of land or structures for an ADU, or rental thereof, on a Lot on which a Protected Use ADU is already located.

71.04: Annual Updates

(1) Data Collection. To assist EOHLC in the administration of M.G.L. c. 40A, s. 3, para 11, Municipalities shall collect and maintain, at a minimum, the following data related to their permitting of ADUs, in a format specified by EOHLC:

- (a) The number of approved ADU permit applications, separately tabulated for attached and detached ADUs;
 - (b) The number of denied ADU permit applications;
 - (c) The number of occupancy permits issued for any ADU; and
 - (d) Other data or information as may be further provided for in EOHLC guidelines.
- (2) Annual Report. To assist EOHLC in the administration of M.G.L. c. 40A, s. 3, para 11, Municipalities shall annually submit a report to EOHLC not later than March 31 containing the data collected under 760 CMR 71.04(1) during the prior calendar year. Said report shall be filed on a form as prescribed by EOHLC and shall contain all data as required therein.

REGULATORY AUTHORITY

760 CMR 71.00: M.G.L. c. 40A, s.3, para. 11; St. 2024, c. 150, s. 8.

DRAFT

Select Board Meeting Minutes

Meeting Date: 12/17/2024

Members in Attendance: Roxanne F. Musto, Vice Chair; John C. Keohane, Secretary, Erin G. Bradley, Member; Benjamin D. Zoll, Member; Nicholas Milano, Town Administrator, Nick Connors, Assistant Town Administrator and Lynne DeNapoli, Executive Administrative Assistant to the Select Board

Late Arrival: Richard G. Wells, Jr., Chair

Meeting Location: Zoom

Time Meeting called to Order: 7:05PM

Meeting Time Adjourned: 9:39M

- 1. Call to Order**
- 2. Pledge of Allegiance**

Vice Chair Musto called the meeting to order at 7:05PM. She introduced the Board Members and staff and led the Pledge of Allegiance.

3. Public Comment

No public comment.

4. Discussion- Fire Chief Christopher Madden regarding the Blue Hills Brush Fires

Chief Madden joined the Select Board to provide a report on the recent brush fires in Milton and extended his appreciation to the members for their support during the past few weeks. He also praised his department for their dedication and hard work.

The dry conditions were a challenge. There were eight brush fires in September, eleven in October and three in November. The fire in the Blue Hills Reservation in mid-November started off as two acres and escalated to over 30 acres in two hours due to wind. There were over 100 firefighters from different counties who came to assist as well as representatives from various state agencies. By the second day, 90% of the fire had been extinguished and on day three, firefighters were tending to hot spots.

Milton Fire Department assisted Braintree and North Andover battle brush fires. The Chief noted this is the first time in his career that he has seen California like conditions in our area.

The Members thanked the Chief and the Department for their efforts in keeping Milton and its residents safe.

Vice Chair Musto suggested that the Board move ahead on the agenda and return to items #5-8 when Chair Wells joins the meeting. The Members had no objection.

11. Discussion/Approval- 2025 Liquor License Renewals:

Ms. Bradley moved to approve the 2025 liquor license renewals (contingent upon the receipt of all necessary certificates required by Chapter 304 of the Acts of 2004 signed by the Building Inspector and the Fire Department) as follows:

American Legion Post #114 – 123 Granite Avenue - Veterans Club License
Wollaston Golf Club – 999 Randolph Avenue - Club License

NPP, Inc., d/b/a Central Liquor Mart – 26 Central Avenue - Retail Package Store License
Delaney Liquors, Inc. – d/b/a East Milton Wine & Spirits, Inc. – 368 Granite Avenue –
Retail Package Store License
Craft & Cru – 25 Central Avenue- Retail Package Store License
The Fruit Center, Inc. – 10 Bassett Street- Retail Package Store License

Milton Housing Corporation – 1399 Blue Hill Avenue - Restaurant License
Milton Housing Corporation – 1372 Brush Hill Road - Restaurant License
88 Wharf Hospitality, LLC – d/b/a Madre Osteria – 88 Wharf Street – Restaurant License
Welch Restaurant Management, LLC – d/b/a Abby Park – 550 Adams Street – Restaurant License
556 Adams Street, LLC – d/b/a/ Novara – 556 Adams Street - Restaurant License
Milton Opus, LLC – d/b/a Steel and Rye – 95 Eliot Street - Restaurant License
Ho Jarn Inc. – d/b/a Mr. Chan's – 534 Adams Street - Restaurant License
B & D Ichiro, Inc. – d/b/a Ichiro Sushi – 538A Adams Street - Restaurant License -Beer and Wine only

The motion was seconded by Mr. Zoll. The Board voted by roll call (4-0) to approve the 2025 Liquor License Renewals.

KEOHANE: YES
ZOLL: YES
BRADLEY: YES
MUSTO: YES

12. Discussion Approval – 2025 Sunday Opening Permits

Ms. Bradley moved to approve the 2025 Sunday Opening Permit Requests to sell alcohol between the hours of 10am-6pm for the following businesses:

Delaney Liquors, Inc., d/b/a/ East Milton Wine & Spirits, Inc. – 368 Granite Avenue
Craft & Cru – 25 Central Avenue
NPP, Inc – d/b/a Central Liquor Mart – 26 Central Avenue
The Fruit Center, Inc. – 10 Bassett Street

The motion was seconded by Mr. Keohane. The Board voted by roll call (4-0) to approve the 2025 Sunday Opening Permits.

KEOHANE: YES
ZOLL: YES
BRADLEY: YES
MUSTO: YES

13. Discussion/Approval- 2025 Entertainment Licenses

Ms. Bradley moved to approve the following 2025 Entertainment License Renewals:

Miltons Opus, d/b/a Steel and Rye – 95 Eliot Street
Welch Restaurant Management, LLC, d/b/a Abby Park – 550 Adams Street
Wharf Street Restaurant Group, LLC, d/b/a Madre Osteria – 88 Wharf Street
556 Adams Street, LLC, d/b/a Novara – 556 Adams Street
Ho Jarn, Inc – d/b/a Mr. Chan’s – 534 Adams Street

The motion was seconded by Mr. Keohane. The Board voted by roll call (4-0) to approve the 2025 Entertainment Licenses.

KEOHANE: YES
ZOLL: YES
BRADLEY: YES
MUSTO: YES

14. Discussion/Approval- 2024 Common Victualler License Renewals

Mr. Keohane moved to approve the 2025 Common Victualler License renewals for:

B & D Ichiro, Inc. d/b/a/ Ichiro Sushi	538A Adams Street
Bruegger’s Enterprises, Inc d/b/a Bruegger’s Bagels #3801	360 Granite Ave.
Coffee Break Café, Inc.	24 Central Avenue
El Barrio Grille	27 Central Ave.
El Barrio Grille	537 Adams St
Ho Jarn, Inc. d/b/a/ Mr. Chan's	534 Adams Street
KME Milton, INC d/b/a Stevie's	22 Central Ave.
Miltdun LLC, d/b/a Dunkin Donuts	545 Adams Street
Milton Housing corp. d/b/a/ Fuller Village	1399 Blue Hill Ave
Milton Housing corp. d/b/a/ Fuller Village	1372 Brush Hill Road

Milton's Opus, LLC d/b/a Steel and Rye	95 Eliot Street
Newcomb Farms	1130 Randolph Ave.
Peel Holdings LLC d/b/a Peel Pizza Co.	538 Adam Street
PB Milton LLC, d//b/a Playa Bowls	532 Adams Street
Revive & Co., Milton LLC	7 Pleasant Street
Starbuck's Coffee #7565	552 Adams Street
T & V Milton, LLC d/b/a Stella's Restaurant	558 Adams Street
556 Adams Street, LLC d/b/a Novara	556 Adams Street
Welch Restaurant Management, LLC, d/b/a Abby Park	550 Adams Street
88 Wharf Hospitality, LLC d/b/a Madre Osteria	88 Wharf Street

The motion was seconded by Mr. Zoll. The Board voted by roll call (4-0) to approve the 2025 Common Victualler Licenses.

KEOHANE: YES
ZOLL: YES
BRADLEY: YES
MUSTO: YES

15. Discussion/Approval – Class II Dealer License Renewal for 2025 - RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA

Ms. Bradley moved to approve the 2025 Class II Dealer License Renewal for RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA. The motion was seconded by Mr. Keohane. The Board voted by roll call (4-0) to approve the Class II Dealer License Renewal for RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA.

KEOHANE: YES
ZOLL: YES
BRADLEY: YES
MUSTO: YES

16. Discussion/Approval – Board and Committee Appointments

a. Shade Tree Advisory Committee

i. Fiona Jevon

Mr. Zoll moved to appoint Fiona Jevon to the Shade Tree Advisory Committee for a term to expire on June 30, 2025. The motion was seconded by Ms. Bradley. The Board voted by roll call (4-0) to approve Ms. Jevon's appointment to the Shade Tree Advisory Committee.

KEOHANE: YES

ZOLL: YES

BRADLEY: YES

MUSTO: YES

17. Discussion/Approval – Meeting Minutes: February 26, 2024, November 12, 2024

Ms. Bradley moved to approve the meeting minutes dated November 12, 2024. The motion was seconded by Ms. Musto. The Board voted by roll call (3-0-1) to approve the meeting minutes dated November 12, 2024.

KEOHANE: YES

ZOLL: ABSTAIN

BRADLEY: YES

MUSTO: YES

Mr. Zoll moved to approve the meeting minutes dated February 26, 2024. The motion was seconded by Ms. Bradley. The Board voted by roll call (3-0-1) to approve the meeting minutes dated November 12, 2024.

KEOHANE: ABSTAIN

ZOLL: YES

BRADLEY: YES

MUSTO: YES

The Members returned to items #9 and 10.

9. Discussion/Update/Approval – Report of the Traffic Commission

- a. Conversion of Franklin Street to a one-way between Adams Street and Bassett Street, in the direction of Bassett Street**
- b. Designated loading zone and valet parking spaces in East Milton Square**
- c. Two-hour parking requests on Central Ave./Eliot Street**

Mr. Milano, the Town Administrator, shared a report on behalf of the Traffic Commission. The Members met on Tuesday, December 10th to discuss a proposed traffic pattern change, parking availability and designated loading zones in East Milton. The Traffic Commission did not offer any recommendations during their meeting. They will revisit the proposals, evaluate the data and seek additional input from local merchants before moving forward.

The Members shared their feedback.

10. Discussion/Update/Approval – Final ARPA Funding Allocations; Small Business Grants Allocations

Following an update from Mr. Milano, the Town Administrator regarding ARPA funds, Mr. Zoll moved to approve the surplus ARPA funding from the Treasury to the DPW for expenses incurred during Fiscal year 2025. The motion was seconded by Ms. Bradley. The Board voted by roll call (4-0) to approve surplus ARPA funding.

KEOHANE: YES

ZOLL: YES

BRADLEY: YES

MUSTO: YES

Chair Wells joined the meeting at 7:45PM.

Mr. Milano summarized requests made by Lisa Fischer Photography and Andrew's Painting for changes to their small business grants. The owners would like to use a portion of their grant allocations for equipment. The funds were originally approved for additional staff.

Chair Wells moved to approve \$2,200 to Lisa Fischer Photography and \$5,000 to Andrew's Painting. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (5-0) to approve changes to the grant allocations.

MUSTO: YES

BRADLEY: YES

KEOHANE: YES

ZOLL: YES

WELLS: YES

The Members returned to items #5-8.

5. Discussion/Update – Massachusetts School Building Authority, (MSBA) Application Status

Mr. Milano, the Town Administrator, announced that the Town of Milton was invited into the Massachusetts School Building Authority's Eligibility Period by the Board of Directors on

December 13th. The Town of Milton submitted a Statement of Interest, (SOI) for grant funding (45% reimbursement) to address overcrowding. Our SOI included a proposal to expand Cunningham School. The eligibility period will begin on May 1, 2025.

Mr. Milano reviewed the steps Milton needs to address during the Eligibility Phase and emphasized the importance of completing required tasks ahead of schedule.

Mr. Milano fielded questions from the Members.

6. Discussion/Update/Approval – Special Town Meeting: February 24, 2025

- a. Special Town Meeting Articles
 - i. Potential article re: MSBA Feasibility Study / Schematic Design Appropriation
 - ii. Potential article re: MSBA for an updated School Building Committee to comply with MSBA requirements
 - iii. Appropriation from the PEG Access Enterprise Fund for equipping the new meeting room in the former Fire Headquarters building for televised meetings
 - iv. Home Rule Petition re: Liquor Licenses for on premises consumption (restaurants)
 - v. Town Bylaws Amendment - Chapter 105 Alcoholic Beverages
 - vi. Home Rule Petition to Establish a Senior Means Tested Property Tax Exemption
 - vii. Appropriation for Lead Service Line Replacement Program for funding from the MWRA
 - viii. Appropriation for Lead Service Line Replacement Program for funding from the State Revolving Fund
 - ix. Zoning Bylaws Amendment re: Accessory Dwelling Units
 - x. Zoning Bylaws Amendment re: Site Plan Review
 - xi. Zoning Bylaws Amendment re: Zoning Map
 - xii. Other potential articles
- b. Close the Warrant

Ms. Bradley moved to open the Special Town Meeting Warrant. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to open the Warrant.

MUSTO: YES

BRADLEY: YES

KEOHANE: YES

ZOLL: YES

WELLS: YES

Following a brief discussion, Chair Wells moved to approve the following articles for inclusion in the Special Town Meeting Warrant dated February 24, 2025:

- iii.
Appropriation from the PEG Access Enterprise Fund for equipping the new meeting room in the former Fire Headquarters building for televised meetings
- iv.
Home Rule Petition re: Liquor Licenses for on premises consumption (restaurants)
- v.
Town Bylaws Amendment - Chapter 105 Alcoholic Beverages
- vii.
Appropriation for Lead Service Line Replacement Program for funding from the MWRA
- viii.
Appropriation for Lead Service Line Replacement Program for funding from the State Revolving Fund

The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the warrant articles.

MUSTO: YES
BRADLEY: YES
KEOHANE: YES
ZOLL: YES
WELLS: YES

Ms. Musto moved to close the warrant. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (5-0) to close the warrant.

MUSTO: YES
BRADLEY: YES
KEOHANE: YES
ZOLL: YES
WELLS: YES

The Select Board will address any remaining Warrant Articles at their next meeting.

7. Discussion/Update – Fiscal Year 2026 Budget and Five-Year Forecast; Operating Override for Fiscal Year 2026

Mr. Milano, the Town Administrator provided an update on the FY2026 Budget.

Highlights of his presentation include:

FY 2026 Forecast

Revenues: \$136.3 million

Expenditure: \$145.8 million

Deficit: -\$9.5 million

Revenue Forecast

Potential updates to the FY2026 revenue forecast:

- New Growth may be able to be revised modestly upward
- Local Receipts slightly reduced from FY25
- State Aid
 - FY26 State Budget expected in January

FY 2026 Expenditures Outlook

Three Categories:

- Town Departments
- School Department
- Shared Costs:
 - Employee Benefits:
 - Milton Retirement System
 - Medicare
 - Health Insurance
 - Other Post Employment Benefits (OPEB)
 - Unemployment
 - General Insurance
 - General Fund Debt Service
 - Reserve Fund
 - Audit
 - State Assessments

Schools	<u>FY24:</u> \$62,647,939	<u>FY25:</u> \$68,038,389	<u>FY26:</u> \$74,448,060
Shared	\$ 36,824,839	\$34,182,106	\$36,966,887
Town	\$31,483,787	\$32,886, 871	\$34,353,165
TOTAL:	\$130,956,565	\$135,107,366	\$145,768,113

Example:

Shared Cost – Health Insurance:

FY25 claims tracking ahead of recent years when means our anticipated premium increase must be very conservative at this point: 10% increase.

1% increase in premiums =approximately \$125,000 cost increase

FY25 enrollments are above forecast which means an increase in the budget to accommodate the increased costs.

Department Budgets

Town: FY25: \$32, 886,871

FY26: 34,353,165 (\$1.46 million, or 4.4% increase)

School Department: FY2025 \$ 67,225,230

FY2026 \$ 73,573,914 (\$6.3million, or 9.44% increase)

Blue Hills Regional Vocational Technical School not included

Mr. Milano and the Members discussed the budget and pending shortfall. The Select Board suggested meeting on January 7th to continue their discussion regarding the budget.

8. Discussion/Approval- Select Board Finance Committee Membership and Charge

Before Chair Wells deferred this matter, Ms. Bradley spoke in favor of the Finance Committee and the important role it serves.

The Select Board will address the Finance Committee Membership and Charge at a future meeting.

18. Town Administrator's Report

Mr. Milano provided an update from Town Hall:

Congratulations to:

Marina Fernandes on her promotion to DPW Director

Peter Rizzi on his promotion to Water & Sewer Commissioner

A special thank you to Tom McCarthy, the Director of Consolidated Facilities for taking on the additional role of Interim DPW Director over the last couple of months.

The positions of Town Engineer, Town Planner and Environmental Coordinator are open.

Please use caution when dropping mail in USPS mailboxes. Checks have been seized from the boxes.

Thank you to all the local merchants and residents for their generosity to make the Holiday Stroll and Tree Lighting such a great success. Your dedication and generosity are greatly appreciated. A special nod to: Joe Parlavecchio, Anthony Musto, John Driscoll, MFD, MPD and the team at the DPW for their hard work.

Thank you to Rabbi Benjamin, Representative Elect Richard Wells, Senator Elect Bill Driscoll and Select Board Member, Benjamin Zoll for their donations to fund the menorah in Manning Park in East Milton. Rabbi Benjamin is coordinating the collections through Congregation Beth

Shalom of the Blue Hills. The Town hopes to have the menorah in place before Hanukkah begins on December 25th with Select Board approval.

19. Chair's Report

Chair Wells offered a tribute to Jared Crowley, a Milton resident who passed away unexpectedly in November at the age of 42. Mr. Crowley was a craftsman. He designed and built the sandbox for Milton Music Fest and a tree house for a young cancer patient in Milton through the Make a Wish Foundation.

Ms. Musto expressed her appreciation to Walter White and the Rotary Club of Milton for sponsoring the Annual Holiday Memorial Tree Program. The tree lighting was held on December 13th.

The Milton Health Department will be hosting a Community Health Improvement Meeting on January 15, 2025 at 5:30PM at the Council on Aging. All are welcome to attend.

Mr. Zoll encouraged residents to reach out to Rabbi Benjamin at Congregation Beth Shalom of the Blue Hills to make a tax-free donation to help fund the menorah in East Milton. [Congregation Beth Shalom of the Blue Hills - Milton, MA](#)

20. Public Comment Response

No public comment response.

21. Future Meeting Dates:

The Select Board altered their schedule. The Members will now meet on Tuesday, January 7, 2025 and Tuesday, January 28, 2025.

22. Future Agenda Items:

Special Town Meeting Warrant Articles

23. Executive Session- Pursuant to M.G.L. c. 30A, § 21(a)(3) – To discuss strategy with respect to collective bargaining
 - a. Milton Clerical Unit of the Southeastern Public Employees Association
 - b. Milton Professional Management Association
 - c. Milton Public Employee Association
 - d. Milton Firefighters, Local 1116
 - e. Milton Police Association
 - f. Milton Superior Officers
 - g. Milton Library Association

At 9:52PM, Chair Wells moved to adjourn from Open Session and enter into Executive Session to discuss strategy with respect to collective bargaining regarding:

Milton Clerical Unit of the Southeastern Public Employees Association, Milton Professional Management Association, Milton Public Employee Association, Milton Firefighters, Local 1116, Milton Police Association, Milton Superior Officers and Milton Library Association based on my belief that discussion of this matter in open session may have a detrimental effect on the litigating position of the Select Board. The Select Board will not return to Open Session. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to adjourn from Open Session and enter Executive Session.

MUSTO: YES

BRADLEY: YES

KEOHANE: YES

ZOLL: YES

WELLS: YES

Respectfully submitted by Lynne DeNapoli, Executive Administrative Assistant to the Select Board.

Documents:

Letter / Invitation from the Massachusetts School Building Authority to the Town of Milton

Presentation of the MSBA Process

Special Town Meeting Warrant Articles:

- i. Potential article re: MSBA for an updated School Building Committee to comply with MSBA requirements
- ii. Appropriation from the PEG Access Enterprise Fund for equipping the new meeting room in the former Fire Headquarters building for televised meetings
- iii. Home Rule Petition re: Liquor Licenses for on premises consumption (restaurants)
- iv. Town Bylaws Amendment - Chapter 105 Alcoholic Beverages
- v. Home Rule Petition to Establish a Senior Means Tested Property Tax Exemption
- vi. Appropriation for Lead Service Line Replacement Program for funding from the MWRA
- vii. Appropriation for Lead Service Line Replacement Program for funding from the State Revolving Fund
- viii. Zoning Bylaws Amendment re: Accessory Dwelling Units
- ix. Zoning Bylaws Amendment re: Site Plan Review
- x. Zoning Bylaws Amendment re: Zoning Map
- xi. Other Warrant Articles

FY02026 Budget Forecast

Select Board Finance Committee Charge

Correspondence from Atty. Marion McEttrick to the Traffic Commission regarding loading zones and valet parking in East Milton.

Volunteer Application for Boards and Committees: Fiona Jevon

Meeting minutes: February 26, 2024 and November 12, 2024

DRAFT

Select Board Meeting Minutes

Meeting Date: 12/23/2024

Select Board Members in Attendance: Richard G. Wells, Jr., Chair; Roxanne Musto, Vice Chair; John Keohane, Secretary; Benjamin Zoll, Member; Nicholas Milano, Town Administrator; Nick Connors, Assistant Town Administrator and Lynne DeNapoli, Executive Administrative Assistant to the Select Board

Members not in attendance: Erin G. Bradley, Member

Meeting Location: REMOTE-ZOOM

Time Meeting called to Order: 9:04AM

Time Meeting Adjourned: 9:06AM

1. Call to Order

Chair Wells called the special meeting of the Select Board to order at 9:04AM.

2. Discussion /Approval –Installation of a menorah alongside the other winter decorations at Manning Park in East Milton

Chair Wells moved to approve the installation of a menorah alongside the other winter decorations at Manning Park in East Milton. The motion was seconded by Ms. Musto. The Board voted by roll call 4-0 to approve the installation of the menorah.

MUSTO: YES

ZOLL: YES

KEOHANE: YES

WELLS: YES

Mr. Milano, the Town Administrator, noted that the menorah lighting will take place on Thursday, December 26th at 4:15PM. Rabbi Benjamin will officiate.

3. Adjourn

At 9:06AM, Mr. Zoll moved to adjourn. The motion was seconded by Ms. Musto. The Board voted by roll call 4-0 to adjourn.

MUSTO: YES

ZOLL: YES

KEOHANE: YES

WELLS: YES

Respectfully submitted by Lynne DeNapoli, Executive Administrative Assistant to the Select Board.