

## **Call to Order**

The Board of Selectmen convened in regular session on Monday, December 16, 2002 at 6:45 PM in the Selectmen's Meeting Room at the Belmont Town Hall. All members were in attendance.

## **Action by Appointment**

*Discussion of Location of Fire Station Headquarters (Executive Session)*

*Discussion of Litigation (Executive Session)*

The Board moved: to enter executive session for the purpose of discussing the value of real estate relating to potential land acquisition for siting of a fire station on Trapelo Road. It is further moved to meet in executive session for the purpose of discussing litigation. The Board shall return to open session by 7:30 p.m.

The motion passed unanimously (3-0), by roll call vote.

The Board re-convened in open session at 7:30 PM.

## **Questions from Town Residents**

There were none.

## **Action by Appointment (continued)**

*Municipal Light Board re: Department Funding*

The Board convened as the Municipal Light Board to authorize a payment to the Town of Belmont in lieu of taxes.

*Acceptance of Land Preservation Agreement*

The Board considered a proposed agricultural restriction from Mrs. Lydia P. Ogilby to the Belmont Land Trust regarding her property on Blanchard Road.

Mrs. Ogilby and her son, Henry Ogilby, were present, as were members of the Belmont Land Trust.

Neal Winston of the Belmont Land Trust explained that this restriction will mean that this land will forever be used for agricultural purposes, while still being privately owned by the Ogilby family. This agreement requires Board of Selectmen approval.

The Board moved: to approve the signature by the Board of this agricultural preservation agreement.

The motion passed unanimously (3-0).

The Board members expressed their deep gratitude and appreciation for the Ogilbys' generous donation.

*Public Hearing: Restaurant Beer and Wine License*

*Little Lotus Inc. dba Patou, 69 Leonard*

The Board convened a public hearing on the application for a restaurant beer and wine license by Little Lotus Inc., doing business as, Patou, 69 Leonard Street.

Maryann Scali, Chair of the Alcohol Beverage Licensing Committee, appeared to express her committee's support for this application.

Mr. Kevin Foley, a commercial property owner, was present in support of the request.

No one spoke in opposition to the application.

It was noted that the restaurant shall also require a special zoning permit from the Town.

The Board moved: to approve the application by Little Lotus, Inc. doing business as Patou at 69 Leonard Street, conditional upon the restaurant successfully receiving a special permit by the Zoning Board of Appeals to allow a restaurant use in this space.

The motion passed unanimously (3-0).

#### *Renewal of Restaurant Beer and Wine and Golf Club Liquor Licenses*

The Board reviewed the renewal applications of the Town's restaurant beer and wine and golf club liquor licenses.

Mrs. Scali of the Alcohol Beverage Licensing Committee was present and expressed her support for the renewal requests.

The Board moved: to approve the renewal of the restaurant beer and wine licenses and the golf club liquor license.

The motion passed unanimously (3-0).

Sue Bass, a resident, suggested the Selectmen pursue a land conservation restriction from the Belmont Country Club.

#### *Discussion of Belmont Alewife Community Bicycle Path*

Members of the Bikeway Planning committee and the Belmont Friends of Community Paths met with the Board to pursue improvements to the informal bike path from Brighton Street to the Alewife transit station in Cambridge.

There was discussion relative to the need for Town coordination of land ownership and maintenance issues with appropriate public and private entities, along with land survey efforts. In the future, Town efforts to support appropriate street markings and signs along with clean-up/improvement of the area will be required.

Mrs. Mahoney expressed the need to limit Town labor and expenses to the extent possible given the limitations on the Town's financial resources.

The Board moved: to support this project and to authorize reasonable Town support for administrative, planning, engineering and labor services.

The motion passed unanimously (3-0).

*Presentation by the Business Economic Development Working Group*

The Business Economic Development Working Group of the Belmont Vision 21 Implementation Committee made a presentation to the Board of Selectmen of the work accomplished to date.

Ms. Oaklander reviewed a report submitted to the Board outlining a proposed revision to the working group's mandate.

Selectmen Solomon indicated his support for these changes to the group's mandate.

Selectmen Brownsberger expressed reservations that the group's proposed revised mandate is so expansive that it potentially encroaches on the roles of other committees and boards. He was uncertain whether the function of municipal master land planning is too strongly articulated in this mandate, given the Planning Board's statutory mandate to play that role. He indicated that he did think the Planning Board needs to be instructed that a master plan needs to be accomplished. He indicated the Selectmen understand this need and will work with the Planning Board in moving forward on this planning process without delay. He indicated that he believes the best efforts of this committee may be directed toward addressing the issue of the business climate in the community.

Mrs. Mahoney concurred and expressed her desire to identify mechanisms to address the problem of landowners failing to maximize the use of their commercial properties and allowing them to languish.

Dr. Solomon felt the proposed revisions were simply expanding the intent of the original mandate and was supportive of it. He was particularly frustrated by the lack of master planning by the Town to date.

Sue Bass commented on the need for the development of a vision of the economic development environment in the community.

Mr. Brownsberger recommended the Board request the Planning Board develop a proposal of how they would undertake a master planning process and the resources it would require for the Board's review in January.

The Board moved: to request the Planning Board to develop a process for the creation of a master plan for the Town Meeting's consideration and approval in April 2003.

The motion passed unanimously (3-0).

Mr. Brownsberger also recommended that, under the "Mandate" section, the first paragraph should read: "The mandate for the Business and Economic Development Planning Group will be to develop recommendations for:

Facilitating the opening of new businesses;  
Attracting desirable new businesses;  
Preserving and enhancing current businesses",  
and that the rest of that paragraph should be deleted.

Mr. Brownsberger also recommended the deletion of the entire next sentence, "As stated in the Planning Board's memo to the Selectmen..."

The Board moved: to adopt the proposed mandate with Mr. Brownsberger's recommended deletion.

The motion passed unanimously (3-0).

*Discussion of Appointments to Affordable Housing Development Advisory Committee*

The Board discussed the process by which the members of the Affordable Housing Development Advisory Committee be appointed.

The Board moved: to request the committees to nominate representatives to the Board and that Mrs. Mahoney and Dr. Solomon would each make one appointment to the Board.

The motion passed unanimously (3-0).

*Conservation Commission re: Rock Meadow Use and Management Plan*

Mr. Flamang, Chairman of the Conservation Commission, appeared with other members of the Conservation Commission to discuss and seek the Board's direction on a draft plan regarding a proposed Use and Management Plan for Rock Meadow.

Mr. Flamang reviewed the major aspects of the plan, including mowing/maintenance of the meadow and formalizing rules for use.

There was general discussion about the potential uses and restrictions in the use of the land, including use by dogs and active recreational opportunities.

The Board congratulated the commission on their efforts to plan for the land, but acknowledged the many policy-related issues, for the Selectmen's/Town Meeting consideration.

Each member expressed his/her initial negative reaction towards the use of a portion of the land for a dog park.

Mr. Brownsberger sought a vote restricting use for active recreation by the Board this evening.

Mrs. Mahoney requested that this matter should not be considered further without input from the Athletic Fields Study Committee.

Dr. Solomon commented about the need for preventive maintenance at Rock Meadow that has been neglected by the Town.

The Board heard from a number of residents regarding their concerns over Rock Meadow and the draft plan.

A Town Meeting member from Precinct 3 voiced her opposition for a dog park on Rock Meadow and the use of the land for playing fields.

A resident of the Rock Meadow area voiced her support for an area in Town that provides an area for dogs to be allowed to run off-leash.

The Conservation Commission indicated they will hold a public hearing on the plan in January before

submitting a final plan to the Selectmen.

The Board requested Town Counsel review this plan and provide feedback on what actions need to occur in order to implement this plan.

The Board requested this draft plan be placed on the Town's website for public review in anticipation of the public hearing in January.

### **Action by Writing**

#### *Report from the Director of Community Development re: Pleasant Street Reconstruction*

The Board reviewed a report from the Director of Community Development regarding an answer to questions presented by the Historic District Commission involving the Pleasant Street Reconstruction project.

No action was necessary on this correspondence.

#### *Memorandum from Acting Police Chief re: Appointment to Local Emergency Planning Committee*

The Town Administrator requested that this request be placed on hold until January.

#### *Memorandum from Assistant Town Administrator re: Assessment of Costs for Public Records Requests*

The Board reviewed a memorandum from the Assistant Town Administrator regarding the assessment of costs for public records requests.

The Board concurred with the request that Mrs. Mahoney work with the town administration to develop guidelines that can be used by Town departments in the assessment of costs for public records requests for the Board's review.

#### *Correspondence re: Noise By-Law Enforcement Activities*

The Board acknowledged the final recommendation of the committee to implement an enforcement plan, including equipment and training. The Board was supportive of this effort and directed the Town agencies to adopt this plan. The Board also approved the dissolution of the temporary Noise By-Law Committee.

The Board agreed that the Town Administrator would review the costs associated with the implementation of this by-law and make a recommendation relative to the need request a reserve fund transfer from the Warrant Committee for these costs.

#### *Memorandum from Selectman Brownsberger re: Tri-Community Working Group on Alewife Flooding Issues*

The Board reviewed a memorandum from Selectman Brownsberger regarding progress by the Tri-Community Working Group on Alewife Flooding Issues.

The Board encouraged Mr. Brownsberger's continued work on this issue.

Mr. Brownsberger requested that the draft letter be mailed to the governor-elect with copies sent to other

key decision makers and administrators.

*Selectmen's Issues List*

The Board reviewed an updated issues list drafted by Mr. Brownsberger. Various issues on the list were discussed.

*Approval of Minutes*

The Board reviewed draft minutes of the Board's meeting of December 2, 2002.

The Board moved: to approve the minutes as drafted.

The motion passed unanimously (3-0).

**Other**

Mrs. Mahoney recommended that the Board meet with the School Committee soon.

**Action by Appointment (Continued)**

*Discussion of Collective Bargaining (Executive Session)*

The Board moved: to enter executive session for the purpose of discussing collective bargaining and further the Board shall not return to open session.

The motion passed unanimously (3-0), by roll call vote.

The regular session adjourned at approximately 10:00 p.m.

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Melvin A. Kleckner, Town Administrator  
Clerk, Board of Selectmen