

Approved by  
the Select Board on:  
03-16-2020

**RECEIVED  
TOWN CLERK  
BELMONT, MA**

**Minutes**

**Town of Belmont**

**Select Board**

**Little Theater, Belmont High School**

**Monday, March 2, 2020**

**7:00pm**

DATE: May 5, 2020  
TIME: 9:36 AM

**CALL TO ORDER:**

A meeting of the Select Board was called to order at 7:04pm by Chair Tom Caputo. Vice Chair Adam Dash and Select Board member Roy Epstein were present. Town Administrator Patrice Garvin was present. The meeting was held joint with the Planning Board for discussion of traffic issues related to the proposed McLean Zone 3 development; the Planning Board called itself to order part way into the meeting.

**COMMUNITY ANNOUNCEMENTS:**

- Presidential Primary election will be held tomorrow, March 3; Caputo reviewed the list of polling locations.
- Belmont Cultural Council Celebration for Grant Recipients, Sunday March 15 from 3-5pm at the Belmont Gallery of Art.
- Cradles to Crayons drive taking place from March 9 to April 5; an event will be held on April 5 from 10am-12noon to inspect and organize donations.

**QUESTIONS/COMMENTS FROM TOWN RESIDENTS:**

[There were none.]

**ACTION BY CONSENT:**

**Update on Coronavirus by the Belmont Board of Health**

Wes Chin (Director, Board of Health) and Wayne Hayley (Assistant Fire Chief / Emergency Management Director) were present.

Chin explained the Board of Health had been monitoring the situation and was in regular contact with the Center for Disease Control (CDC) and Massachusetts Department of Public Health (MassDPH). As of 3pm today the risk is low in Massachusetts in general, and Belmont specifically. Recommendations include: stay at home if you have symptoms, cough into your arms, frequent hand-washing, use of hand-sanitizer, avoid touching face and high-touch surfaces in public.

Hayley added there are currently no active cases in Belmont. First-responders have been supplied with specialized kits and dispatchers have been trained to screen calls about possible exposure to the virus. Town Department Heads are aware that continuity of operations planning is required in the case of an outbreak.

Questions from the public:

- *What are the symptoms?* Fever, cough, shortness of breath.
- *How is the Town reaching out to English Language Learners in the school system?* Have been in contact with the School Department over the past six months, provided informational materials; translation services are available through MassDPH.
- *If people are required to work from home, can the IT infrastructure support this?* This issue currently under investigation.

### **Open Annual Town Meeting Warrant**

Two groups had, thus far, proposed articles for the Warrant – one a citizens’ petition, and three from the Energy Committee. The Board had invited the sponsors of these articles to attend and provide some background information:

1] Paper bag fee (Rahul Ramakrishnan and Mark Carthy were present): As paper bags have a carbon footprint 3-4 times that of plastic bags, this article sought to introduce a 10 cent fee, charged by businesses to consumers, for the use of paper bags. The goal of the fee was to help promote reusable bags. Similar measures are currently in place in Cambridge and Newton, as well as in states such as California, New York, Maine and Vermont; these examples provide evidence of significant reduction in the use of paper bags (on the order of 50% and greater). Ramakrishnan had vetted the idea with the Belmont business community which was largely in favor of the proposal. Dash expressed support for the Board adopting the article, however a vote was not taken at the present time.

2] Energy Committee articles (Roger Colton and Marty Bitner were present): These proposals were motivated by work of the Energy Committee to examine emissions in Belmont, finding that emissions are not falling fast enough for the Town to meet its climate goals.

a. Emissions Free New Construction Bylaw: New buildings must be built such that they can accommodate solar and EV charging. Also, the bylaw would require that new buildings do not use fuels that generate carbon emissions – premise being, that as Belmont Light moves towards strategic electrification new buildings should be set up to be able to run on an emissions-free supply of energy.

b. Establishment of energy revolving fund: The fund would be set up in a way analogous to what was done with the Storm Water bylaw. Funded by developer fees, the revolving fund would be used to hire consultants to assess cases where an exemption to the Emissions Free New Construction bylaw may be warranted.

c. Home Energy Disclosure bylaw: Would require sellers to obtain and disclose a home energy rating (similar to Energy Star tags, MPG ratings) when placing a home for sale. The idea is to allow the market to take into account relevant information about the energy efficiency of the home.

Questions / Comments from the Board:

- There was discussion about a similar Brookline bylaw that was passed recently, banning natural gas hookups for certain new buildings; the law had not yet been approved by the AG’s office and there was expected litigation. George Hall (Town Counsel) reviewed some of the legal considerations around the bylaw – he felt the proposed bylaw for Belmont steered clear of the main anticipated legal challenges, but there was still potential litigation risk.

- Desire to hear additional input from the Planning Board and to conduct a thorough public process prior to Town Meeting, in order to vet and hear a wide range of viewpoints around these complicated issues.

There was discussion about how long to leave the Warrant open in order to allow for any additional citizens' petitions and for Town Administration to prepare other articles. Typically a two week window is given for the Warrant for Annual Town Meeting. It was decided to close the Warrant on March 20, to give additional time following the next Select Board meeting on March 16.

*Motion: To open the Annual Town Meeting Warrant as of March 3, 2020 at 8:00am, and to close the Warrant as of March 20, 2020 at 12noon. (Vote passed 3-0)*

### **Financial Task Force II Update**

Garvin reported the Task Force was currently running scenarios on a potential override request for November, trying to determine the amount of the override. A joint meeting would be held on April 6 with the Select Board, Warrant Committee, School Committee and Capital Budget Committee to discuss the projected FY22 shortfall. The Task Force would also begin drafting a final report and planned to provide an update at Annual Town Meeting.

Caputo provided some additional context: the last override in 2015 for \$4.5m was intended to last for just three years, and had now been stretched to six; use of one-time funds to balance the budget, particularly in FY21, would inevitably lead to a deficit in FY22. The Task Force was working collaboratively to lay out a five year plan for the Town. Key next steps also included educating the community about where things stand, and laying out the needs related to the override request.

### **Discussion on Traffic Impact for McLean Hospital**

Steve Pinkerton (Chair, Planning Board) called the Planning Board meeting to order. The Planning Board would be holding a broader public discussion related to the zoning bylaw changes on the evening of March 5; in addition to inviting public comment on the development there would be a Q&A session with an independent land use planner, who would speak to possible alternative uses for the site. The present discussion was meant to focus on the traffic impacts of the proposed project.

There were three presentations given:

1. Glenn Clancy (Director, Community Development) and Jeffery Wheeler (Senior Town Planner):
  - Wheeler gave a history of the McLean area with respect to zoning. The Memorandum of Agreement (MOA), signed in 1999, governed the development of Zones 3 and 4, and included all supporting documents such as the zoning bylaw, tax agreement, Traffic Monitoring and Mitigation Agreement (TMMA), and more. Under the MOA, Zone 3 had been zoned for a Continuing Care Retirement Community (CCRC) and Zone 4 for 150k square feet of research and development facility. Ultimately, a CCRC development for Zone 3 proposed in 2001 had fallen through, due to collapse in financial markets as well as collapse in demand for such facilities.
  - Clancy gave an overview of the TMMA. The agreement limited peak AM/PM vehicle trips and average daily trips to each of the zones. For Zone 3, the limits established were: 36 peak AM trips, 92 peak PM trips, and 1,148 daily trips. These were based on a traffic study

conducted in 1998, with a growth factor of 10-20% added by the McLean Task Force. The TMMA also outlined a process for monitoring traffic to ensure it stayed within these limits, and measures to be taken if the traffic exceeded the limits. Finally, the TMMA required the following traffic mitigation measures: widening of Pleasant Street to accommodate access to Olmstead Drive (completed); signalization at Pleasant and Trapelo (complete through MassDOT funding); signalization at Pleasant and Olmstead (pending).

2. Jack Dawley (CEO, Northland Residential):

- Dawley gave an overview of the current proposal for development at Zone 3. A previous proposal had been brought forth in March of 2019, which sought to carry over a similar development already completed at Zone 2 – senior directed, for-sale townhomes and condominiums. That plan had been rejected by the Planning Board. The revised current plan incorporated feedback on a desire for more affordable housing in accordance with the Town's Housing Production Plan, and to offer more family housing (not just senior). In addition, Dawley was in continuing discussions with the Energy Committee to offer a suitably sustainable design. Projections by Northland showed \$1.3m in recurring revenue to the Town, \$1.3m in non-recurring permit fees, and ~\$25m in bonding capacity.
- With respect to traffic and the TMMA, Northland's traffic engineers had provided projections for average daily trips and peak AM/PM trips resulting from the development. The projections showed that the development was within the TMMA limits for peak AM and daily trips, but over the limit for peak PM trips. Dawley outlined two possible solutions: 1) amend the TMMA to reflect more current traffic data/estimates, requiring 50% approval by Town Meeting; 2) reduce the scale of the project – would require ~25% reduction coming mostly from the multi-family housing units. Northland was currently working with traffic engineers to also seek possible alternate solutions.

3. Michele Gougeon (Executive VP and COO, McLean Hospital):

- Gougeon presented future plans by McLean for the use of Zone 4; as access to Zone 4 was also via Olmstead Drive, these plans would inevitably have an impact on traffic as well. Historically the site had been zoned for 150k square feet of a research and development facility, however there had not been any success finding demand for a facility of this size. Therefore, McLean was currently planning to build child and adolescent academic facilities (consolidating McLean schools elsewhere), as well as associated residential and support services buildings. Once this project was completed, there would be a smaller sized research and development facility added to the site as well. Proposed plans would comply with the existing MOA – traffic counts would be within the TMMA limits; plan to file a Dover amendment so that no zoning bylaw changes would be required; comply with the tax agreement.

[Public comment.]

- *Holly Gelfond (Precinct 2):* Can't compare traffic numbers from 1999 to the current situation. Projected numbers (e.g. only 10 cars leaving from 110 rental units) seem low. Doing the math, if new housing units have children this will add ~\$4.5m per year to the costs of the school system – not offset by the projected revenue. Suggest to decrease the number of rental units for the project.

- *Epstein*: Intersection of Pleasant and Trapelo is one of the most dangerous in Town – any anticipated improvements expected here, or on Olmstead Drive?
  - o Clancy said that Olmstead was more than adequate to serve as a two-way street given that parking is not (and would not) be allowed; this includes access for emergency vehicles. Garvin added that the Fire Chief had spoken to the developer and given input on the proposal as well. With respect to the intersection, no plans at present.
- *Judy Feins (Town Meeting Member, P5)*: What about the possibility of a shuttle? Is this factored into the projected traffic numbers?
  - o Dawley: In the presentation, left out two key points: 1) committed to installing a traffic signal at Pleasant / Olmstead; 2) committed to providing a shuttle from Zone 3 to Waverly, potentially Alewife and other locations. This would be part of the site plan review, details not yet resolved.
- *Vince Stanton (Town Meeting Member, P3)*: Questioned the traffic limit numbers – why are the peak AM trips lower than PM? Peak trips don't seem to match with the average number of allowable trips? Why does Zone 4 allow many more trips than Zone 3?
  - o Dawley explained the limits were based on the previously proposed use for the site back in 1999 (the CCRC project); AM peaks were based on staff coming to work, whereas PM based on visitors coming to the site. Ultimately, the numbers in the TMMA were based on a different proposed land use.
  - o Stanton further commented that the projected impact of a shuttle would depend on the details of implementation, such as frequency of trips, destination, etc.
- *Epstein*: Asked Clancy if there was any justification for updating the TMMA limits to something more appropriate to the new land use and time period.
  - o Clancy: Certainly valuable to compare apples-to-apples; should be done at expense of developer. Reiterated that the limits were based on the past proposed land use and contemporaneous traffic levels, with a multiplier factor applied by the McLean Task Force.
  - o Dash: If the limits are redone, could be helpful for the developer based on current levels of traffic.
- *Rachel Heller (Co-chair, Housing Trust)*: Housing Trust is very supportive of the development as it meets multiple needs and aligns with the goals in the Housing Production Plan. With respect to traffic at the site: should take into consideration that it is on a hill, need to ensure easy access for pedestrian/bikes; encourage creative solution for the shuttle, e.g. could it be set up as partnership with McLean, or with the Town to provide service to the major squares.
- *Jeanne Mooney (Town Meeting Member, P6)*: Should revisit the TMMA, numbers being compared are apples to oranges. With respect to plans for Zone 4, seems that uses are shifting over from Zone 5 – raises the question of what will be replaced in Zone 5.
- *Judith Ananian Sarno (Town Meeting Member, P3)*: Waverly Square is already very congested and this development would make the situation worse. Was supportive of previous proposals for Zone 3 including commercial/assisted living or even age-restricted housing – however, this expanded proposal will have a much greater impact on the area. Keen to see and discuss the financial impact to the Town.
- *Ken Hynes (Precinct 6)*: Basing the comparison on data from 1999 is irresponsible; infrastructure as it is now is stressed. Using a 10-20% factor is completely arbitrary. Would the Town consider updating the data, take into accounts other developments since 1999?

- Clancy agreed it would be useful, but the Town shouldn't pay for the updated analysis, should fall on the developer.
- Caputo clarified that from his understanding current projections of traffic related to the project are up to date, however the threshold limits are old; Dawley confirmed.
- *Ellen Sugarman (Precinct 8)*: 1) Numbers in the analysis seem wrong, estimates are low based on the number of housing units proposed. 2) Should look into something along the lines of a LimeBike program to increase non-car access to and from the site.
- *Betsy Lipson (Co-chair, Housing Trust)*: Have observed the Growth of McLean over the last 10 years – McLean should consider stepping up to assist with setting up a shuttle and/or possibly increasing PILOT to the Town. Reducing traffic to the area is a public health issue.
  - Gougeon: Agreed there has been growth, but much of the growth is off-site – smaller growth factor just for Belmont.
- *Sumner Brown*: Should think about what kind of deal would be appealing for Town Meeting to approve this project – e.g. if McLean could reduce overall traffic to the campus that would be a win for the Town and the development.
- *Mary Kennedy (Town Meeting Member, P3)*: 1) Concern about emergency vehicle access. 2) Town needs to address Concord / Mill intersection. 3) Need a significant study conducted on the impact to Pleasant / Trapelo intersection – lights at Star Market cause backed up traffic. Don't buy numbers reported in the presentation.
- *Dorothy Stoneman (Precinct 2)*: Traffic can be difficult but it is manageable, don't think this should affect development of project.

[Close public comment.]

Caputo noted that the Board had commissioned a study by consultant McKibben and Associates (who had previously done the school enrolment projections) on the financial impacts of the proposed project to Town services; also working with the Board of Assessors to estimate potential revenue. It was expected these estimates would be available for public review/comment by April 6.

[Planning Board adjourned at 9:50pm.]

### **Approval of Master Plan Refresh Committee Charge**

Jon Marshall (Assistant Town Administrator) was requesting the Board approve the charge, which had been updated based on feedback from a previous Select Board meeting with Vision 21 Implementation Committee (VIC) Chair Kevin Dorn. Marshall explained that VIC had reached out to representatives from many committees (not just those included in the charge) to get buy-in, and identify representatives to help support the Master Plan refresh effort.

*Motion: To approve the charge of the Master Plan Refresh Committee as provided today. (Vote passed 3-0)*

**Approve One Day Liquor License Request (Wine & Malt only) from the Belmont Gallery of Art to host an Art Reception on Friday, March 13, 2020 from 6:00pm to 8:30pm**

*Motion: To approve the One Day Liquor License as stated above. (Vote passed 3-0)*

**Approve One Day Liquor License Request (All Alcoholic Beverages) from the Foundation for Belmont Education to host an Annual Fundraiser on Saturday, March 14, 2020 from 6:30pm to 10:30pm at the Jordan Athletic Center at the Belmont Hill School**

*Motion: To approve the One Day Liquor License as stated above. (Vote passed 3-0)*

**Approve One Day Liquor License Request (Wine & Malt only) from the Folk Art Center of New England to host a Fundraising Gala on Saturday, March 28, 2020 from 7:30pm until 10:30pm at the Belmont UU Church**

*Motion: To approve the One Day Liquor License as stated above. (Vote passed 3-0)*

#### **Discussion and possible vote to amend Transportation Advisory Committee (TAC) charge**

Dana Miller (Chair, TAC) joined the meeting. Based on discussions related to the development of the new traffic calming policy, it had become clear that a missing voice on TAC was from the Fire Department. Miller was requesting to add the Fire Chief or designee as an ex-officio member.

*Motion: To amend the charge of the Transportation Advisory Committee to reflect the following: add the Fire Chief or designee as an ex-officio member; change 'Board of Selectman' to 'Select Board'. (Vote passed 3-0)*

#### **Vote to appoint member to the Transportation Advisory Committee**

*Motion: To appoint Belmont Fire Chief David Frizzell, or his designee, to the Transportation Advisory Committee (Vote passed 3-0)*

#### **TOWN ADMINISTRATOR'S REPORT:**

Garvin reviewed the Town Administrator's Report:

- Applied for federal appropriation through Congresswoman Clark's office to access funds towards capping incinerator site.
- Requesting vacation March 28 to April 4 and to name Jon Marshal as acting Town Administrator during this time.
  - *Motion: To appoint Jon Marshall as acting Town Administration during the period March 28, 2020 to April 4, 2020. (Vote passed 3-0)*

#### **SELECT BOARD COMMITTEE LIAISON REPORTS:**

- Dash reported that the Capital Budget Committee was continuing meetings with departmental heads to discuss their capital requests; next meeting Thursday morning.
- From the Belmont Middle and High School Building Committee, Caputo reported that bids had come in and were largely on track. Upcoming meeting on April 8 to lock down the Guaranteed Maximum Price. The building is starting to take shape.

APPROVAL OF MEETING MINUTES:

- *December 9, 2019, regular session:* Caputo and Epstein had minor edits.

*Motion: To approve the December 9, 2019 regular session minutes, as amended. (Vote passed 3-0)*

- *January 7, 2020, executive sessions #1 and #2:*

*Motion: To approve the January 7, 2020 executive session minutes. (Vote passed 3-0)*

- *January 13, 2020, regular session:*

*Motion: To approve the January 13, 2020 regular session minutes. (Vote passed 3-0)*

- *February 3, 2020, regular session:*

*Motion: To approve the February 3, 2020 regular session minutes. (Vote passed 3-0)*

- *February 10, 2020, regular session:*

*Motion: To approve the February 10, 2020 regular session minutes. (Vote passed 3-0)*

ADJOURNMENT:

*Motion: To adjourn at 10:03pm. (Vote passed 3-0)*

Respectfully Submitted,



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PATRICE GARVIN, Town Administrator